

HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH GENERAL ASSEMBLY

ONE HUNDRED THIRTY-FIFTH LEGISLATIVE DAY

JUNE 5, 1974

11:00 O'CLOCK A. M.

THE HONORABLE W. ROBERT BLAIR, SPEAKER

IN THE CHAIR



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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SEVENTY-EIGHTH GENERAL ASSEMBLY
THIRTY-FOURTH LEGISLATIVE DAY
FIRST SPECIAL SESSION

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IN THE CHAIR



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Speaker Blair: "The House will be in order. The Invocation will be by the Reverend James McCarmaugh, First Presbyterian Church, Hillsboro."

Reverend McCarmaugh: "Let us pray. Almighty God, onto Thee all hearts are open, all desires known, from Thee no secrets are hid. Cleanse the thoughts of our hearts, O God, by inspiration of Thy Holy Spirit that we may do Thy will. We are thankful, indeed, O God, as Thou has given to us this good land for our heritage. May we continue, O God, to receive the favor. We pray for our nation at this time and we beseech Thee, O God, for the Members of this Body, the General Assembly. Guide and direct them in all their activities, their consultations, their deliberations, for the welfare of the people of this state that justice and peace and happiness may be with us. This is our prayer in His name. Amen."

Speaker Blair: "A Roll Call for attendance."

Clerk Selcke: "Messages from the Senate. A message from . . . ah . . . the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution in the adoption of which I'm instructed to ask concurrence of the House, Senate Joint Resolution #71 . . . ah . . . adopted by the Senate June 4, 1974; Edward E. Fernandes, Secretary. Jack, have we got copies of this . . . all right. A message from the Senate by Mr. Fernandes, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following title in the passage of which I'm instructed to ask concurrence of the House, Senate Bills 1246, 1284, 1354, 1359, 1486; passed the Senate June 4, 1974; Edward E. Fernandes, Secretary. Committee Reports."

Speaker Blair: "Committee Reports."

Clerk Selcke: "Ah . . . Mr. McMaster from the Committee on Counties and Townships to which House Bill 2143 was referred, reported the same back with Amendments, thereto, with the recommendation the Amendments be adopted and the Bill as amended do pass. Mr. Duff from the Committee on Judiciary II to which House Bills 2126, 2378 and 2384 were referred, reported the same back with Amendments,



thereto, with the recommendation the Amendments be adopted and the Bills as amended . . . ah . . . be rereferred to the Committee on Appropriations. Ah . . . Mr. Duff from Judiciary II to which House Bills 2127, 2379 and 2385 were referred, reported the same back with the recommendation the Bills be passed and be rereferred to Appropriation's. Mr. Duff from Judiciary II to which House Bills 2541, 2606 were referred, reported the same back with the recommendation the Bills do pass."

Speaker Blair: "Ah . . . Senate Bills, First Reading. We can get the persons that are going to hand . . . the Members that are going to handle those while we can read those a first time."

Clerk Selcke: "Ah . . . Senate Bill 1394 . . . what page are we on . . . Senate Bill 1394, an Act making an appropriation to the Superintendent of Public Instruction. Ah . . . First Reading of the Bill. Senate Bill 1398, an Act making an appropriation to the Capitol Development Board. First Reading of the Bill. Senate Bill 1485, an Act making an appropriation to the State Treasurer. First Reading of the Bill. Yeah, I'm leaving it on so we can get it still. We don't have any others, do we? We had a bunch of Senate Bills first that are awaiting . . . ah . . . House Sponsors. So if you're going to be a House Sponsor of a Senate Bill, I wished you'd come up and identify yourself. Is this . . . Resolution? Ah . . . This is the only one we've got. We've got one Agreed Resolution, Mr. Speaker . . ."

Speaker Blair: "One what?"

Clerk Selcke: ". . . one Agreed Resolution if you want to knock it out. Yeah, he's got his copy."

Speaker Blair: "All right, we've got an Agreed Resolution."

Clerk Selcke: "Ah . . . Senate Resolution #71, Blair . . . ah . . . Walsh . . . you can get . . . we still got it open . . . ah . . . Bud."

Walsh, W.: "Ah . . . Mr. Speaker, this is Senate Joint Resolution #71, which is an Agreed Resolution, and it commends Senator Arrington for all he has done for the Legislature and for the people of the State of Illinois; and I move the adoption of the Agreed Resolution."

Speaker Blair: "Any discussion on the Agreed Resolution? All those in



favor of the Agreed Resolution, your Leader has agreed to it, that's what it means, Jerry, so all those in favor of the adoption of the Agreed Resolution say 'aye', opposed 'no'; the 'ayes' have it and the Agreed Resolution is adopted. Further Senate Bills, First."

Clerk Selcke: "Ah . . . Senate Bill . . . Senate Bill 1262, an appropriation for the expenses of the Auditor General. First Reading of the Bill. Senate Bill 1323, an Act to make an appropriation for the ordinary and contingent expenses of the Office of the Lieutenant Governor. First Reading of the Bill. Senate Bill 1351, appropriation for the expenses of the Office of State Treasurer. First Reading of the Bill. Senate Bill 1469, an appropriation for the portrait of the Honorable Paul Simon. Ah . . . First Reading of the Bill. The voting switches are still open for the . . . ah . . . Roll Call . . . for the attendance Roll Call, so please get on it. Yeah. Yeah."

Speaker Blair: "Yes, for what purpose does the Gentleman from Cook, Mr. Sevcik, arise?"

Sevcik: "Ah . . . Will you have the Journal show that Representative Klosak is absent due to illness?"

Speaker Blair: "Yes, the Journal will so indicate. All right, the . . . the Roll Call for attendance is now showing that . . . ah . . . there is a quorum present. So the Clerk will . . . everybody get on. The board's open, the board is open, get on there now, and we'll take the Roll Call and the extras that come in can be added. All right, we're not down to Introductions, First Reading of House Bills. No Introductions, all right; House Bills, Second Reading, you'll note that the Calendar does not indicate the 1st Legislative Day, although those are marked . . . ah . . . with a red mark . . . ah . . . to write down them other than those . . . the 2079, Mr. Skinner, he's not here. Take it out of the Record. 2089, Mr. Garmisa, is not here. Take it out of the Record. Mr. Jones . . . ah . . . 2195, he's not here. Mr. Boyle on 2348, he's not here. Mr. Craig on 2352. Mr. Washington on 2356. Mr. Mugalian on 2358. Mr. Tipsword on 2367. I know Mr. Tipsword's here, do you



want to go with 2367 on Second Reading? That's . . . be business economic development appropriation."

Clerk Selcke: "House Bill 2367, Tipsword, a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Business and Economic Development. Second Reading of the Bill. Two Committee Amendments; Committee Amendment #1, amends House Bill 2367 on page 1 and so forth."

Speaker Blair: "All right, who has that? Mr. Tipsword? All right. The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Ah . . . This . . . this is a Committee Amendment that was agreed upon by the staff and the Members of the Appropriation Committee on both sides of the aisle; and I move the adoption of this Amendment."

Speaker Blair: "All right, is there discussion? The question is on the adoption of the Amendment. All those in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted."

Clerk Selcke: "Committee Amendment #2, amends House Bill 2367 as amended on page 3 and so forth."

Speaker Blair: "All right, Mr. Tipsword."

Tipsword: "Ah . . . This is . . . this is an Amendment of Mr. Collins that he has placed on in the Committee in regard to the . . . ah . . . the special division of science and technology that has existed here before. Ah . . . The Department . . . ah . . . was not in favor of this . . . this Amendment and so perhaps I should . . . ah . . . defer it to someone else who . . . who may be able to . . . to support the Amendment."

Speaker Blair: "Well, inasmuch as Mr. Collins isn't here, perhaps we should wait until he's on the floor."

Tipsword: "I . . . I think perhaps so . . ."

Speaker Blair: "Then we can come back to it."

Tipsword: ". . . I . . . I know what the Amendment's about, but I think in good handling, Mr. Collins should be here to . . . to handle that Amendment."

Speaker Blair: "All right, well, why don't we just leave it in the Record then . . . ah . . . with Amendment #1 adopted . . ."



Tipsword: "Right."

Speaker Blair: ". . . and when Mr. Collins arrives why we'll get back to it. Mr. Taylor here on . . . no . . . Mr. Krause on 2146, General Services? Mr. Krause, do you want to go with 2146? Mr. Krause, do you want to go with 2146? It's . . . ah . . . 2146 . . . ah . . . the General Services appropriation. Do you want to hold it? Okay. Mr. Bradley."

Clerk Selcke: "Not here."

Speaker Blair: "All right. Mr. Fleck wants to hold his . . . ah . . . Mr. Jones . . . Mr. Telcser, 2573 . . . Mr. Jones again. All right. House Bills, Third Reading; Mr. Miller, 1927, he's not here. It's been . . . oh, Tom, do you want that?"

Clerk Selcke: "Ah . . . House Bill 927, Tom Miller, a Bill for an Act to amend Section 409 and 410 of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Blair: "Do you want that now, Mr. Miller? Do you want it called?"

Miller, T.: "Yes. Mr. Speaker . . ."

Speaker Blair: "Okay, all right. Mr. Miller."

Miller, T.: "Mr. Speaker and Members of the House, House Bill 927 . . ."

Speaker Blair: "Now, we're going to be busy for quite a while today, I want to move as many Bills as we can . . . ah . . . and I would suggest then that the . . . those not entitled to the floor . . . ah . . . kindly remove themselves therefrom. We're going to tighten up on the House rules . . . ah . . . this week to see that those persons not entitled to the floor are removed therefrom; and the rules are quite explicit on who's entitled to the floor; and if we'll hold the noise down, I think we'll be able to move this Calendar along. All right, Mr. Miller."

Miller: "Ah . . . Thank you, Mr. Speaker and Members of the House. I looking at the floor of the House, it appears, Mr. Speaker, that we're not armed with our full contingency of House Members this morning. I would like to briefly present House Bill 927 and see how the Roll Call goes with the leave to take it out of the Record if we don't have a sufficient number of votes; but basically House Bill 927 is a carry-over from the 1973 Session in which it was called



to the attention of the Insurance Committee that a number of insurance companies have been operating in the State of Illinois avoiding the 2% premium tax that is charged to foreign insurance companies. According to the Director of the Department of Insurance, Mr. Fred Mock, he estimates that somewhere in the vicinity of \$5,000,000, \$5,000,000 was lost by the State of Illinois in 1972 due to these companies not paying their 2% premium tax, and what House Bill 927 does is strengthen the definition of a domestic insurance company. It requires that their key personnel be . . . ah . . . located in the State of Illinois, that all the records of the insurance companies be maintained in the State of Illinois; and what this Bill will do, in effect, in addition to preventing the further erosion of our premium tax fund, it will create literally thousands and thousands . . . thousands of jobs throughout the state, and as a result will do . . . ah . . . provide further revenue for the State of Illinois through payroll taxes and other revenue producing income for the state. Mr. Speaker and Members of the House, if there are any questions, I'll be glad to try to answer them and I ask your favorable vote on House Bill 927."

Speaker Blair: "All right, is there any discussion? The Gentleman care to close? The question is, shall House Bill 927 pass? All those in favor will vote 'aye' and the opposed 'no'. The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this Bill simply tries to protect the people of Illinois in doing business with domestic insurance companies; and I think it's a very worthwhile Bill because if a company does fail to comply with specific requirements of maintaining the principle place of business in Illinois, certainly it's not too interested in doing the most upright type of business with the people to buy their policies, and in . . . in speak . . . in explaining my vote, I feel we should all support this Bill."

Speaker Blair: "Ah . . . Mr. Miller. No, Mr. Shea."

Shea: "I know I'm a bit tardy, but would the Sponsor yield for a question?"



Speaker Blair: "Ah . . . Considering the earliness of the hour, we'll . . . ah . . . allow that, even though we're on explanation of votes."

Shea: "Mr. Miller, will this stop the practice of a foreign insurance company just setting up an office, like Equity did here, and really not running their insurance business out of here, but setting up either an office or that to avoid this tax payment?"

Miller, T.: "Ah . . . That is the objective of the Bill, Mr. Shea, and . . . ah . . . in working with the Department of Insurance and . . . ah . . . other people who are well acquainted with the . . . ah . . . insurance practices, we were able to develop this language that will require the key offices of an insurance company and the major records of that company to be maintained here in the State of Illinois."

Shea: "All right."

Miller, T.: "It's an endeavor to close that loophole, correct."

Shea: "All right, thanks, Tom, I think it's a good Bill."

Miller, T.: "Thank you."

Speaker Blair: "Have all voted who wished? Mr. Claßbaugh? Okay, the board is still open. Have all voted who wish? The Clerk will take the Record. On this question there are 99 'ayes', no 'nays'; and . . . ah . . . this Bill having received the constitutional majority is, hereby, declared passed. Hanahan 'aye'. Now, Mr. McMaster's, do you want to go? Out of the Record. Okay. Ah . . . Mr. Day, on your 2049, do you want to go? Okay."

Clerk Selcke: "Ah . . . House Bill 2049, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Day: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this is a Bill which is . . . ah . . . designed to correct a great inequity which now exists in the Personal Property Tax law. Now, this Bill has the support of the Illinois Taxpayer's Federation; and it was voted out of Committee with 15 'aye' votes and 1 'nay' vote and 2 'present'. Ah . . . What the Bill is concerned with is the taxation of personal property which is held by a fiduciary and executor, and administrator of an estate, a guardian for a minor



child, a conservator for an incompetent person. When we repealed in 19 . . . November of 1970, when we repealed the personal property tax law, you recall, by state-wide referendum in Amendment to the Constitution . . . ah . . . that issue went to the Illinois Supreme Court and from there to the United States Supreme Court, and when it came back . . . ah . . . to the Illinois Supreme Court they wrote an opinion which said that the affect of the Constitutional Amendment . . . ah . . . repealing the personal property tax as to individuals was limited to natural people, and it did not include . . . ah . . . fiduciaries . . . ah . . . such as I have referred to. So we find ourselves in a position today . . . ah . . . where the law provides that we . . . the local tax assessor must . . . ah . . . assess the personal property that is held by an administrator of an estate . . . ah . . . or a guardian for minor children, or a conservator for an incompetent person. Of course, the unfairness of this is obvious, a man dies or a woman dies and has personal property which . . . ah . . . bank account, or stocks or bonds or any kind of personal property which is in joint tenancy and it passes to the surviving spouse . . . ah . . . by virtue of the joint tenancy . . . ah . . . then there would be no tax on that; but if his wife happens to be incompetent and he establishes a trust to provide . . . ah . . . for her care . . . ah . . . that personal property in that case would be . . . ah . . . subject to personal property tax, and the same would be true in the case of an administration of an estate. Ah . . . The administrator or the executor does not pay the tax himself, he doesn't own the property, the tax is paid out of the estate; and, of course, it comes out of the pockets of the beneficiaries of the estate. So . . . ah . . . it is obvious . . . ah . . . inequity, and . . . ah . . . what this Bill does is to clear that situation up and . . . ah . . . simply provides that where personal property is held by a trustee, guardian, conservator, administrator or other fiduciary to the extent it is held for the benefit of a natural person. I shall not be subject to personal property tax, and . . . ah . . . I think that . . . ah . . . this is a badly needed Bill at this time;



and I would appreciate your support for it."

Speaker Blair: "All right, is there discussion? The Gentleman from Lake, Mr. Pierce."

Pierce: "Ah . . . Mr. Speaker, would the Sponsor yield to a question?"

Speaker Blair: "Wait, wait, wait . . . wait just a moment: Mr. Choate wanted recognition."

Pierce: "Oh . . . Mr. Dav. I was trying to follow your discussion here with some of the noise and a little bit of order on our side of the aisle, especially . . . ah . . . am I right . . . am I right, as long as I am alive . . . ah . . . the assets I own, the personal property, under the . . . both the 1970 Constitution and the 1970 Amendment to the 1870 Constitution are exempt from personal property tax?"

Day: "That . . . that . . . that's correct."

Pierce: "And now if I should die and I should have a bank as executor or trustee for my children, am I right under the present law, my children . . . my estate would then have to pay a personal property tax?"

Day: "That is . . . that is right, it would be assessable against the executor of the estate."

Pierce: "Even though the only beneficiaries were my childrer, is that right?"

Day: "That's right."

Pierce: "So as long as I stay alive, I'm exempt from personal property tax, but if I am fortunate enough to die, my surviving orphans will have to pay a personal property tax if a bank is trustee or executor, is that right?"

Day: "That is the situation today, yeah."

Pierce: "Now, I see why you've introduced this Bill, and I think it's a good Bill. Surely, if individuals are exempt from the personal property tax . . . surely if individuals are exempt from the personal property tax by a Constitutional Amendment adopted by the people of this state in 1970 to our 1870 Constitution, which is carried over in the 1970 Constitution, then the widows and orphans, when the taxpayer dies, who happen to have a banker's trustee, should not



then become subject to personal property tax, which of course isn't paid by the bank. it comes out of their estate, it comes out of the assets left them by the decedent. So if someone sets up a trust on estate for his children, why should those children pay personal property tax, when the individual didn't have to pay it when he's alive. I think this is a good Bill and maybe a little hard to understand at first, but all . . . all it's saying is, and one thing it's saying, it's saying several things, but one thing it is saying, is that if you should pass away, you're assets that are now exempt from personal property tax because you are an individual should not become subject . . . should become subject to personal property tax when they belong to your children because there happens to be a banker's trustee or executor of the estate of your children; and, therefore, I think it's good legislation, and actually the voters of the estate, I think if they had the choice of saying, 'should the assets of an individual be subject to personal property merely because they're held by a corporate trustee or executor', I think they would say, 'they meant those assets to be exempt from the personal property tax as well as the assets when held directly by the individual, and I will vote 'aye'."

Speaker Blair: "Ah . . . The Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, and Ladies and Gentlemen, I . . . I wonder if . . . I have a little statement I'd like to make about the Bill. I'm one of the Cosponsors of it, but I have a question then that I want to ask of the Sponsor, and in . . . preliminary to my question, Bob, I understand what this Bill is attempting to do, and it's a laudable purpose, I also understand that one of our Appellate Courts, I believe the third, has indicated that this should be done in all fairness . . . ah . . . considering what we have done with individual personal property here before us; but it was just pointed out to me this morning, and it's a matter that, I think, maybe perhaps we should hold the Bill up until we might correct a possible constitutional problem; and that problem is . . . is this, our Constitution in Article, let's see, Article IX,



Section 5, requires that when we remove personal property from the application of personal property tax, we must provide a replacement, the local government of . . . of that fund, and I wonder if we should pass this Bill without having a specific replacement available. Would it not be unconstitutional now if we did it alone, and perhaps you might want to consider holding it up until we got a replacement Bill in . . . in progress?"

Day: "Well, it . . . I would have no objection . . . ah . . . to holding it up . . . ah . . . if there is anyone who . . . ah . . . has the ability to frame a Bill which will satisfy the constitutional provisions so far as replacement is concerned. I don't want to get involved in that too much, but as you know . . . ah . . . the Constitution says in a general way that the replacement must be in a . . . ah . . . tax levy state-wide against the same . . . same persons that are relieve . . . ah . . . by the personal property tax; and I, for the life of me, cannot conceive that it would be possible to draft a Bill which would replace this levy . . . ah . . . replace the levy of the property tax in this case on the same persons that are relieved from the tax and do it state-wide. I think that it would almost . . . in this situation, have to rely on the fact that the court will take some other approach if this thing goes up, and that they'll simply . . . ah . . . review the situation and say, 'Well, after all the Legislature has . . . ah . . . provided substantial . . . ah . . . additional revenue, in a form of revenue sharing . . . ah . . . in the form of the sales tax, in the form of grants, which do replace this loss of personal property tax. Ah . . . Other than that, I would have no . . . ah . . . nothing to offer. Again, if you have any suggestions on the subject, I would be happy to take the Bill out of the Record and discuss them with you . . . ah . . . but . . . ah . . . I would simply say that I just cannot conceive of how it could be done."

Tipword: "I don't have any suggestion I could make to you, Bob, I . . . I agree with you, I think it's an absolutely . . . ah . . . almost an impossible task to meet the language of the Constitution. Ah . . .



Are you telling me, therefore, that you feel like you want to pass it for the purpose of getting a test, and maybe this is one that we should test for the purpose of the other personal property tax laws."

Day: "That's . . . that's right, that's the only . . . only alternative I see, the only alternative I . . . I can see on the thing. I think we should do something. I think we should attempt to correct the inequity, possibly the court would . . . ah . . . pass on a case that isn't up and give us some guidelines as to what . . . ah . . . type of tax . . . ah . . . would meet the constitutional requirements, but if we simply sit . . . sit back and do nothing why I . . . I think we are . . . ah . . . ignoring a . . . a very serious inequity."

Pierce: "Thank you."

Speaker Blair: "All right, Mr. Griesheimer."

Griesheimer: "Mr. Speaker, and Ladies and Gentlemen of the House,

I would like to add my support to this Bill, and point out to the Membership, those of you who are not attorneys, that the reason all the attorneys are speaking on this is not because we're going to get any benefit out of it, but because this is a problem that's not readily known of outside of the legal profession. Although the problem is not known of, it definitely affects the little guy who is involved in an estate or who is dealing with a trust. Ah . . . As has been so amply described by Representative Day, this is a gross inequity, whereby, you and I as individuals do not have to pay personal property tax, yet, in an estate it does have to pay personal property tax and in any fiduciary situation such as a trust or a guardianship. It would be grossly unfair of us to allow this to persist on the theory that we haven't followed the constitutional mandate at this time to replace this tax. Actually, we haven't replaced the personal property tax on individuals either, but I believe this needs rectifying right now, and now is the time to act on this; and I'd encourage you to support this very fine Bill."

Speaker Blair: "Ah . . . Mr. Maragos."



Maragos: "Mr. Speaker and Members of the House, I wish to lend my voice in support of this Bill. The same questions that were asked earlier by Representative Tipword and others were asked in the Revenue Committee when this was being heard; and at that time one of the representatives of the trustees if I do share his organization had suggested maybe not use this route, but to use the route of memorializing the Supreme Court to have them re . . . consider the original decision and to go back and say that the fiduciaries of individual groups should be included as exempt from the personal property tax. However, it happened by cir . . . circumstance and good fortune, if I may use the term, that we happened to meet two Supreme Court justices that evening in Springfield and we asked them what effect would memorialization by the House or the Senate be on them as the Supreme Court, and they told us very bluntly, it would be of no effect. Now, Bill Day is laughing because he knows that was my sentiments of the Committee, but we wanted to exhaust that possibility too. I . . . I feel like Mr. Day does that we have to show the Supreme Court what the legislative intent was at the time the 1870 Amendment that . . . that the Constitutional Amendment, the 1870 Constitution. We are still feeding our state with the 1870 Constitution more than we are with the 1970 Constitution, and I do not feel that this would be an area where we would have to replace that tax because this is not a tax at the time the 1970 Constitution came into being; and, therefore, I think by this measure we'll be able to give the Supreme Court and any other agency of the state . . . ah . . . a more firm position that we feel that this tax should not go on the fiduciaries of individuals. So I ask your wholehearted support for this Bill."

Speaker Blair: "Ah . . . Mr. Holloway, the Gentleman from Cook."

Holloway, R.: "Ah . . . Mr. Speaker, will the Sponsor yield for a question?"

Speaker Blair: "He indicates he will."

Holloway, R.: "Representative Day, what in effect . . . ah . . . would the passage of this Bill have on the question of . . . ah . . . inheritance taxes?"



Day: "Well, I . . . I can't conceive of any effects of this Bill . . . ah . . . on inheritance taxes . . . ah . . . the personal property tax paid by an estate is a proper deduction on the . . . ah . . . inheritance tax return, but . . . ah . . . other than that . . . ah . . . I can't see where it would have any direct effect."

Holloway, R.: "Well, are you saying then that . . . ah . . . the personal property tax of which you seek . . . ah . . . does not relate at all to the . . . ah . . . valuation of the assets of an estate? In other words, what I'm saying, suppose . . . ah . . . their size . . . say \$4,950 of stock . . . ah . . . in this estate. Ah . . . That would probably be exempt, and then let's say that there was \$20,000 worth of stock . . . ah . . . inherited by a . . . a . . . ah . . . first cousin, now . . . ah . . . who is the beneficiary of the trust? Now, under normal circumstances . . . ah . . . there would be an inheritance tax on the \$20,000; now, what I'm trying to find out . . . ah . . . would the passage of this Bill have any effect on the amount of inheritance tax that would've been collected?"

Day: "No, no, I . . . I . . . I can't . . . ah . . . I don't see how it could possibly have any effect on the valuation or the . . . valuation of assets or the collections of . . . ah . . . or assessment of . . . ah . . . inheritance tax."

Holloway, R.: "So what you're saying is that under present circumstances a personal property tax is paid in addition to an inheritance tax?"

Day: "That's correct."

Speaker Blair: "Ah . . . Mr. Choate, do you have your light on?"

Choate: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I don't like to break in this way, but on behalf of Representative Tom Hanahan, Representatives Waddell and Skinner, I'd like to introduce 51 graduates . . . graduating students from the Harrison School of Wonder Lake, Illinois, in McHenry County. I would also like to present the principal, Jim Golden, one of the teachers, Mil . . . Miller, who incidently is now a newly elected Democratic Precinct Committeeman, teachers Terry Larson and Pat Mayor. They're in the rear balcony on both sides. Would you students and teachers



please stand."

Speaker Blair: "Ah . . . Mr. Ebbesen . . . oh, William Walsh."

Walsh, W.: "Yes, Mr. Speaker, I'd like to take this opportunity to introduce Mrs. Edith Morgan, who is the Kane County Republican Chairwoman; she's in the Speaker's Gallery, Mrs. Morgan."

Speaker Blair: "Ah . . . Mr. Alsup. The Gentleman from Macon."

Alsup: "Well, Mr. Speaker, Ladies and Gentlemen of the House, we're talking here about, am I on?, we're talking here about personal property tax that goes to local government. Now, I would think that when you come to a constitutional argument about replacing the tax, since the individual paid no tax, there is no tax to be replaced; and I would think any attorney would make that argument in case the point ever came up and say I can see no cause for concern in a replacement of this particular tax since the individual was not already paying the tax."

Speaker Blair: "The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Ah . . . Mr. Speaker, I move the previous question."

Speaker Blair: "All those in favor of the Gentleman's motion say 'aye', the opposed 'no'; the 'ayes' have it, the previous question has been moved. The Gentleman from Peoria, Mr. Day, to close."

Day: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, there's been a lot of legal lingo tossed around here, and it . . . ah . . . possibly . . . ah . . . possible that some . . . some Members . . . ah . . . have lost sight of the real purpose of the Bill; but let me just give you one simple example of what is involved here. If a person dies and leaves an adult child and also a minor child, a four-year old, and . . . ah . . . also an incompetent wife . . . ah that estate would be administered, would be settled up within seven months the earliest possible time and distribution of the assets would be made to the beneficiary. Now, so far as the adult child is concerned, the distribution would be made directly to him, he'd get his bank account, or stock or bonds or whatever it was; but so far as the four-year old minor child is concerned, we'd have to appoint a guardian for him, his older . . . older brother or someone who would have to . . . ah . . . manage his



estate until he became of age; insofar as the incompetent wife is concerned, we couldn't make distribution to her, we'd have to distribution to a conservator for her. Now, those two for as long as that conservator existed and as long as that guardianship existed, they would be subject to personal property tax each year, but the adults, minor child or the adult child, who had received his inheritance, would hold it in his own right and it wouldn't be subject to personal property tax. So that's what this is all about, it's to treat them all the same and not to . . . and try to avoid the situation that we now find ourselves in where we are taxing . . . ah . . . minors and incompetents . . . ah . . . but not taxing adults. So . . . ah . . . I . . . I think it's a good Bill and I would appreciate your support."

Speaker Blair: "All right, the question is, shall House Bill 2094 pass? All those in favor vote 'aye' and the opposed 'no'. Ah . . . Mr. Choate."

Choate: "Well, Mr. Speaker, I had not intended to get into this debate, but I want to explain my 'present' vote. It should be no . . . de noted, I . . . I think this merit concern, but it should also be denoted that this proposal does not meet as has been pointed out the constitutional requirements imposed by Article IX, Section . . . Section 5, paragraph C, which requires replacement of revenues lost by local governments to the imposition of state-wide taxes on the classes of taxpayers relieved of the personal property tax burden. Now, under this Bill, I don't know how much money . . . how much revenue is going to be lost as far as local government is concerned. I think that we need to hold this measure until such time as that determination can be made, until such time as replacement to local governments is concerned can be made, I think that we are derelict in our duty. We are di . . . directly violating the Constitution of the State of Illinois. If we pass a Bill of this nature without providing replacement revenues for the local government and I vote 'present'."

Speaker Blair: "Now, Mr. McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I think you



all recognize the fact that I have quite often defended financing to local government. I also think you must recognize that this piece of legislation is to correct an inequity. Certainly when you have for instance a brother who is capable of handling his own business of legal age assisted to that man who is incompetent due to ill health and has a trust over her to take care of her business. In the case of the brother who owns bank stock, for instance, he does not have to pay personal property on it, but the sister who has someone else taking care of her business must pay personal property tax on that stock. I think that the existing situation is very unfair. I think that we can only pass this Bill, and if the courts wait to test the constitutionality of it, fine; but certainly we should do everything we can to protect the individual and the rights of the individual. Let me point out that the case that was brought to me, the inequity by a supervisor of assessments in a county, and certainly he is anxious to protect county funds, but in this case where you have an inequity, I certainly think that it should be straightened out and I lend all of my support to Representative Day in this . . . Day in this very good Bill. Please vote 'yes'."

Speaker Blair: "Ah . . . Mr. Shea."

Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to explain . . . explain my 'present' vote. In a recent speech where Senator Terrel Clarke . . . ah . . . before company officials made the statement that the removal of personal property tax on individuals that that burden was shifted to the real estate taxes in the various counties, and I feel that if we lose any more of our personal property tax, it's going to do nothing but end up on the real estate tax Bills of our taxpayers and particularly the homeowners, and I think we ought to find out just exactly what the impact of this Bill is on local taxes before we start tinkering with it, therefore, I'm going to vote 'present'."

Speaker Blair: "Ah . . . Mr. Cunningham."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, I was anxious that none conclude that my 'no' vote was obstinate, or un-



reasonable or frivolous. This particular Bill seeks to cre . . . to correct an isolated injustice: and that's a-rather perilous course because the present state of the personal property tax constitutes a very serious injustice in regard to all corporations. The Constitution says that we must remove the personal property tax off the books by 1979. It's not too early now to start planning on meeting that constitutional mandate. This particular Bill is excellent for those of you who represent the trust departments of banks. It does a very fine service to them, but there's a better way to remedy the situation, little priceless legal advice to you. This nominates your surviving spouse as the executor of your estate and you might have a particular problem. We recognize that there is some . . . ah . . . wrong involved here, but the court can correct it without this particular Bill, which has one additional bad effect, and that is nibbling away from the taxpayer. Someone has to pay the taxes, we mustn't declare everyone exempt or we'll have to . . ."

Speaker Blair: "Ah . . . Mr. Juckett."

Juckett: "Thank you, Mr. Speaker, I've heard today that everybody is . . . has a bleeding heart for the taxpayer, and everybody is concerned where the taxes are coming from; but by the vote on the board they're not that concerned. The previous Speaker alluded to an inequity, but yet he's voting against removing that inequity. Now, every poll that was taken shows at least 93% of the people were against the personal property tax. We have had a court determination. The court has spoken, and the court has said that this is not was meant to be removed. By this legislation we're making it very clear. We are telling the courts that this is to be removed. These people are to be protected. This inequity is to be removed. Now, why do you want to impose a burden where the people of the State of Illinois did not want a burden imposed. This is our opportunity to act as the representatives of the people. We have the opportunity now to relieve a tax burden; and for those of you who say we must keep the taxes flowing, just think of the many hundreds of millions of dollars that are now being raised by



the State Income Tax. Now, that State Income Tax is imposed to remove inequities, and was imposed to remove the personal property tax. It did not by court decision. So let's get with it, let's get those 89 votes in. Let's represent the people. let's represent the little guy and let's remove an obnoxious tax burden because I know that when you go back to your district, you don't want it said that you missed the opportunity to help the people and to remove an obnoxious tax burden."

Speaker Blair: "Mr. Miller."

Miller, K.: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I'm very confused . . . ah . . . that there are only 85 votes on the board. Let me tell you what my thinking is. In the first place, this is not a violation of the constitution as long as the court has upheld the abolishment of personal property tax on individuals. The reason I say that is that all this Bill does is to remove the personal property tax on individuals because who is paying the tax? The wards or the incompetent or the person that is sharing the beneficiary of a trust. The trustee, the conservator are not the ones paying the tax. Sure, they're writing the check, but the money comes out of an individual, an individual. So what we're saying here is, 'Let's make it right by those individuals, let's vote 'yes' on this Bill'."

Speaker Blair: "Mr. . . . ah . . . Maragos."

Maragos: "I have a high respect for my Minority . . . my Democratic Leader, Mr. Choate, and I know his concern, but I would speak in this particular situation that this does not effect the 1970 Constitution as has been discussed with the Revenue Committee, I think this concerns the interpretation of the Supreme Court of the 1870 Constitutional Amendment, which we passed in November of 70 . . . 1970 for the 19 . . . 18 . . . 1970 Constitution gone into effect. That's why I think we should give this an opportunity to have this tested and . . . and, therefore, give this . . . vote and see the Supreme Court does rule on that; but I think what we are doing here is telling the Supreme Court that this is the legislative intent, and we'll see before to find the position of what the referendum



stated in November of 1970; and I ask for your support of this Bill."

Speaker Blair: "Ah . . . Mr. Neff . . . or Leinen . . . Mr. Neff, do you want to talk on this . . ."

Neff: "Ah . . . Thank you, Mr. Speaker, in explaining my vote, which I don't think it does need to explain, I'm just happy to see these green lights come up here. This is to cor . . . correct something that should have been . . . ah . . . too bad ever happened, and I just want to say this that I'm real happy to see the votes on here for Representative Day's Bill. Now, just last week, I got a letter from . . . ah . . . a party in my district. It had a few shares of stock, bank stock, left there in trust. When she paid the tax last year on this stock, it was about \$50 more than what she received as dividends. This is a . . . this is going to help a lot of little people, a lot of small people that have small amounts of money left in trusts and . . . ah . . . they find out that they can't afford . . . they're going to be forced . . . the trustees is going to be forced to sell this stock because they can't . . . ah . . . get a living out of it. So, therefore, I'm happy to see the votes on here. Thank you."

Speaker Blair: "Mr. Leinenweber."

Leinenweber: "I'll yield, Mr. Speaker, to the 93 votes. Take the Record."

Speaker Blair: "Have all voted who wish? The Clerk will take the Record. All right, . . . ah . . . on this question there are 94 'ayes', 1 'nay'; this Bill having received the constitutional majority is, hereby, declared passed. Mr. Rayson. Mr. Tom Miller on 2108. The Gentleman from Cook. Read the Bill a third time."

Clerk Selcke: "House Bill 2108, a Bill for an Act to amend the Law Enforcement Officers and Firemen Compensation Act. Third Reading of the Bill. Miller."

Speaker Blair: "Mr. Miller."

Miller, T.: "Thank you, Mr. Speaker and Members of the House. House Bill 2108 increases the . . . ah . . . state compensation to families of policemen and firemen killed in the line of duty. Since September



of 1969, the State of Illinois has been paying a \$10,000 death benefit to families of policemen and firemen, who are killed in the line of duty. Since that time, we have seen 84 policemen and firemen killed while performing their duties. In many instances, policemen have been killed without warning. In other cases, we have seen firemen where they have been trapped in burning buildings and I'm sure we're all aware of the problems that can be created in the families who certainly lose the husband, the father, the wage earner. In looking over the statistics of the families of the 84 policemen and firemen killed, it's interesting to note the young age of the policemen and firemen who were killed. I believe the average age for the policemen was 36 years and for . . . for the firemen 44 years. It's interesting to note too that in many cases the . . . the firemen and the policemen who were killed are leaving large families. In one instance, 11 children survive, in another case, 9 children; and throughout the 84 cases typically they are leaving, not only a wife, but a children . . . children as well. It seems to me that by increasing the death benefits from \$10,000 to \$20,000, as this Bill proposes, is a method that we in the General Assembly and indeed the 11,000,000 people throughout the State of Illinois have of showing our appreciation to those families who are suddenly grieved by the loss of their loved ones. \$20,000 today certainly isn't a lot of money, but what it can do is to temporarily ease the burdens placed on a family who suddenly lose their wage-earning father or husband. I earnestly request your favorable vote on House Bill 2108, and would be glad to answer any questions that might arise."

Speaker Blair: "All right, discussion? The question is, shall House Bill 2108 pass? All those . . . ah . . . the Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, will the Sponsor yield to a couple of questions?"

Miller, T.: "Yeah."

Speaker Blair: "He indicates he will."

Kosinski: "Ah . . . Representative Miller, . . . ah . . . I am not negative to this legislation, but I have some concerned questions."



Can you hear me? Item 1, where does the money come from for the increased payments?"

Miller, T.: "Ah . . . Representative Kosinski, the . . . ah . . . increased money will come from the State of Illinois. It is the fund that is controlled by the Attorney General, William Scott; he's responsible for administering . . . ah . . . the payment of the death benefit . . ."

Kosinski: "And there are adequate monies set aside for payment of these death benefits . . . for the \$20,000?"

Miller, T.: "I have discussed the matter with the Attorney General and they do presently have an appropriation's Bill in . . . ah . . . to fund . . . ah . . . this budget or Act for fiscal year 1975. Ah . . . I believe in 1974, in fiscal '74, they had to come back for an additional appropriation due to the number of claims that were filed in fiscal '74, and I believe they could do the same thing in fiscal '75 if they found need to."

Speaker Blair: "Ah . . . Turn Mr. Kosinski back on."

Kosinski: "Is there any provision made for nonpayment of these funds in the event the kid . . . the man who dies, fireman or policeman, is other . . . otherwise adequately insured on a personal level?"

Miller, T.: "Ah . . . Representative, the . . . ah . . . claim is paid in any event no matter what . . . ah . . . other insurance the policemen or the firemen might have . . . ah . . . the criteria is, of course, that he or she is killed in the active performance of duty."

Kosinski: "You mean then if he had \$50,000 worth of independent life insurance, which cover on a double-indemnity basis, he would still be paid \$20,000 from the state?"

Miller, T.: "That is correct, Representative."

Kosinski: "Thank you, Mr. Miller."

Speaker Blair: "Mr. . . . ah . . . Wolf?"

Wolf: "Would the Sponsor yield for a question or two? Representative Miller, I remember just a short while ago we established a \$10,000 insurance benefit for policemen and firemen and we also have a similar benefit for the members of National Guard which I sponsored.



Ah . . . My question that I wanted to ask you was we have a \$10,000, I think the Federal Government establishes \$10,000 for any service man who is killed in active duty and . . . ah . . . of course, we have established this to help out many of the small communities which could not afford, a policeman in a very small community wouldn't have that kind of money if they had . . . ah . . . one death in the line of duty. It would probably wipe out the little town that he was employed by, but I just wonder if we're going too far. We've established . . . and now we'll go to \$20,000 and then come back with \$30,000 and so forth, where is this going to . . . to end, and also don't you think that the local municipality that hires this police officer should have an obligation to share some of the burden, why should it fall solely upon the shoulders of the State of Illinois?"

Miller, T.: "Well, . . . ah . . . in response to the question . . . ah . . . question with regards to the municipalities . . . ah . . . taking on the responsibility, I think we can review the 84 cases that have been paid thus far and find that . . . ah . . . a policeman or a fireman, a policeman in particular killed in a particular municipality may be murdered by someone who is not a resident of that municipality, and I believe in strong local government, but I don't believe in this particular case that it is the responsibility of a municipality to . . . ah . . . pay death benefits for their policemen and firemen in every instance. Ah . . . Certainly a municipality has an opportunity to do so if they choose, but in many instances we find a Chicago policeman, for example, murdered on Lake Shore Drive without warning, could very well have been killed by someone from outer Chicago or even out-of state, and why should the City of Chicago take on the full responsibility? With regards to increasing this from \$10,000 to \$20,000, as I indicated, the fund was began . . . begun in 1969, and we have witnessed inflation, for example, . . . ah . . . taking up a good part, a very large part of the \$10,000 increase; and I don't think today, in the State of Illinois, that with our \$7,000,000,000+ budget that we are wasting . . . wasting state



taxpayers money by showing our tribute to the families of policemen and firemen killed in the line of duty. I think it's appropriate and not extravagant in any case."

Speaker Blair: "Mr. Wolf."

Wolf: "Mr. Speaker, I'd like to address myself to the . . . the Bill. Well, Mr. Speaker and Members of the House, I'm very reluctant to oppose anything for the policemen or firemen. I did support the \$10,000 insurance benefits because of the reasons that there are many small communities that couldn't afford to pay a \$10,000 benefit. However, I'd like to point out to the Members of the House that those on the military service, that's all they get is \$10,000, and a policeman and a fireman, in addition to the \$10,000 insurance or the payment that the State of Illinois gives, also get the winnows . . . widows and survivors' benefit out of their pension fund . . . ah . . . which they contribute to and which, of course, the local community contributes to; and I'm just wondering how far we want to go. It seems that every time we establish something the pressure is on always to increase it and increase it each year. So we'll be down for \$20,000 this year, and next year it'll go for \$25,000, and bear in mind, of course, that every policemen and firemen, of course, do get a death benefit on their pension and their pension does continue the payments on the . . . to their survivors."

Speaker Blair: "Mr. Terzich."

Terzich: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to . . . ah . . . recommend an 'aye' vote on this Bill. I know that the inherent dangers of being a firemen and also the dangers of a policeman. Ah . . . Just today there's a burial for two Elgin firemen, who . . . ah . . . died in a rescue a couple of days ago trying to rescue a young person in the Fox River, in addition, a . . . ah . . . I know of an actual fact last week where a Chicago fireman was shot at the scene of a . . . a fire, and I don't think \$20,000 is too much to . . . ah . . . extend to a widow of a fireman or a policeman who have died in the line of duty. Ah . . . \$20,000 is approximately one year's salary. I don't think



that's . . . ah . . . outrageous by any means . . . ah . . . based on insurance we need; and I certainly think that anyone who gives their life in the performance of duty . . . ah . . . they do deserve this \$20,000, and I know for a fact that one of the young men that . . . ah . . . was killed in the drowning . . . ah . . . last week had seven children and he was only 27 years old. So I would urge an 'aye' vote on this Bill."

Speaker Blair: "Mr. Polk."

Polk: "Mr. Speaker, will the Sponsor yield to a question?"

Speaker Blair: "He indicates he will."

Polk: "Being a downstater, I'm more concerned about the volunteer firemen and the volunteer policemen that we have in our . . . in downstate because that encompasses half of the state, despite the fact Chicago has the major portion. How does this effect a volunteer fireman who is killed in the line of duty?"

Miller, T.: "Ah . . . Representative Polk, I believe in 1973, Representative Mahar introduced a Bill, and I believe it was enacted into law, that provides similar benefits for volunteer policemen and volunteer . . . volunteer firemen and I believe also the Deputy policemen."

Polk: "So then the . . . the . . . ah . . . the volunteer Sheriff's Department, the volunteer Fire Department, all would . . . ah . . . who were killed in the line of duty would then receive the \$20,000 benefit?"

Miller, T.: "That's my understanding, yeah."

Polk: "Very fine, I support the Bill."

Speaker Blair: "Any further discussion? The Gentleman from Cook, Mr. Miller, to close."

Miller, T.: "Thank you, Mr. Speaker and Members of the House, there's something that I learned at my mother's knee or some other old joint that I used to hang around that . . . not to take up any more time than is necessary, and . . . ah . . . I ask your favorable vote on House Bill 2108."

Speaker Blair: "All right, the question is, shall House Bill 2108 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all



voted who wished? Shea 'aye'. Have all voted who wished. Choate 'aye'. The board is still open. The Clerk will take the Record. On this question there are 118 'ayes', no 'nays'; this Bill having received the constitutional majority is, hereby, declared passed. Campbell and Duff 'aye'. All right, Mr. Simms on your 2125."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2125 amends the Use Tax and Retailer's Occupation Tax, exempt from the definition of sale at retail or retailers transaction under the Federal Nutritional Program for the elderly, where meals are made in return for contributions as provided under Federal law. In essence what this does is it exempts those programs such as meal-on-wheels and meet-and-eat programs that are funded by the Federal Government on a 90% cost from the sales tax obligation. Now, the Bill has the support of the Illinois Department on Aging, various citizen groups throughout the state . . . ah . . . the Illinois Legislative Council on Aging, which Representative Jacobs is Chairman, and I would urge a positive vote for this . . . ah . . . Bill."

Speaker Blair: "Any further discussion? Oh, well, read . . . read the third . . ."

Clerk Selcke: "Ah . . . House Bill 2125, an Act to exempt meals served under Federal Nutrition Programs for the elderly. Third Reading of the Bill."

Speaker Blair: "All right, any further discussion? Ah . . . Mr. Leinenweber."

Leinenweber: "Will the Gentleman yield for a question? I . . . I notice there's a fiscal note filed. What is the cost of this?"

Simms: "Ah . . . The loss in revenue to the State of Illinois would be approximately \$110,000."

Leinenweber: "Thank you; I would likewise urge an 'aye' vote."

Speaker Blair: "All right, the . . . the question is, shall House Bill 2125 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wish? The Clerk will take the Record. Deavers 'aye'. Collins 'aye'. Is the board still open? Yeah, well, they can vote, you know. All right. The Clerk will take the Record. On this question there are 128 'ayes', no 'nays'; and this Bill



having received the constitutional majority is, hereby, declared passed. Mr. Skinner. Mr. Skinner. Do you . . . you don't want it? Okay, Mr. Katz. Mr. Katz wants his R.T.A. Bill called, Mr. Harold Katz. The Gentleman is not here. All right, take his R.T.A. Bill out of the Record. Mr. Deuster on his 2132."

Clerk Selcke: "House Bill 2132, an Act to amend Section 4.01 of the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Blair: "Mr. Deuster."

Deuster: "Mr. Speaker, and Ladies and Gentlemen of the House, there is an Amendment . . . ah . . . to House Bill 2132. I don't if it has been distributed. I was going to request leave of the House to take House Bill 2132 back to the order of Second Reading for the purpose of adopting one Amendment, and . . . ah . . . I'm . . . I'm happy to proceed, but I don't see that the printed Amendment has been distributed."

Speaker Blair: "All right, the Clerk does advise that it's not up from the printer, but it should be . . . ah . . ."

Clerk Selcke: "Momentarily."

Speaker Blair: ". . . momentarily."

Deuster: "Would the Chair prefer to call this a little later, when the printed . . . ah . . . is circulated or what was the Chair's desire?"

Speaker Blair: "Sure . . . sure, well, we . . . we won't be able to proceed without it's being on the desk, so I would suggest that we just . . . ah . . . hold . . . we just . . . ah . . . take it out of the Record, and we'll get . . . get back to it."

Deuster: "Ah . . . Would the Chair indicate that . . . ah . . . you will get back to it at the end of the calling of the other Third Reading Bills?"

Speaker Blair: "Yeah."

Deuster: "All right."

Speaker Blair: "No problem, I . . . we'll . . . ah . . . I want to get it . . . everything acted on that I can that's on the Calendar today, one way or the other."

Deuster: "Fine. Thank you, Mr. Speaker, we'll do that."

Speaker Blair: "Right. Okay, Mr. . . . all right, we'll take 2132 out of



the Record. Now, Mr. Totten says he's in a hold pattern. Now, we're back to Mr. Simms on 2168, do you want that, okay."

Clerk Selcke: "Ah . . . House Bill 2168, Timothy Simms, an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Blair: "Mr. Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2168 amends the Revenue Act of 1939. It adds to property exempted from taxation that of Community College Districts not leased or otherwise used for profit. In essence, what this Bill does, it exempts Community College Districts from paying property taxes on their undeveloped land. Ah . . . The Community College Districts previously had this exemption, but last Session or this Session last year when we codified all of the junior college legislation into their own Act, this provision was omitted. Ah . . . The Department of Local Government is in favor of it, . . . ah . . . the Junior College Trustees' Association is in favor of it and the tax loss . . . ah . . . to local governments is . . . ah . . . very minimal. I would urge a . . . ah . . . a 'yes' vote."

Speaker Miller: "Is there any discussion? All right, the question is, shall House Bill 2168 pass? All those in favor will vote 'aye' and those opposed 'nay'. Are you open . . . okay . . . the Gentleman from Cook, Mr. Maragos, to explain his vote."

Maragos: "Mr. Speaker, I heard this Bill in Committee, and I have . . . ah . . . a high regard for the intent of the Bill. However, I do have some questions as to the . . . ah . . . effect of this Bill because they can't allow these junior colleges to hold land to be unproductive and there will be no reason for them to put them on the tax rolls or to try to develop them for the purposes that they have set forth; and, therefore, I would not vote 'no' against it, but I will have to vote 'present'."

Speaker Miller: "Have all voted who wish? The Clerk will take the Record. On this question there are 103 'ayes' and 17 'nays'; and this Bill . . . for what purpose does the Gentleman from Union, Mr. Choate, arise? Record Mr. Choate as 'aye' . . . so on this question there are 104 'ayes' and 17 'nays'; and this Bill having received the con-



stitutional majority . . . all right, a correction, 103 'ayes' and no 'nays' and 17 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. Record Campbell 'aye'. House Bill 2201, and the Chair recognizes Representative Dyer."

Clerk Selcke: "House Bill 2201, an Act . . . to enact the Interstate Compact on the placement of children and so forth. Third Reading of the Bill."

Speaker Miller: "The Lady from . . . ah . . . DuPage, Mrs. Dyer."

Dyer: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2201 providing for Illinois' membership in the Interstate Compact on the placement of children was developed as the result of study and recommendation by the Special Legislative Action Committee on Child Care formed by this Body and also by the study of the Commission on Children. All of you remember the crisis that developed last year when hundreds of Illinois children . . . ah . . . who had been placed in institutions in Texas and other states were found to be . . . ah . . . subject of mistreatment or neglect. It was the decision of the Commission on Children and the Legislative Action Team on Child Care that this situation should never be allowed to develop again. Let us all understand that we agree that desirably children should be placed within Illinois if at all possible; but while suitable facilities are being developed for all kinds of children, it is sometimes necessary to place children out of state. Particularly, if you live in a border county that borders our Missouri or Kentucky or . . . or Wisconsin, they may have a facility that is much more suitable for the kind of child we are talking about that Illinois has. Ah . . . This would avoid the duplication of expensive facilities. Now, what kind of children are we talking about? We are not talking about mentally ill, mentally retarded or epileptic children; they are handled under an entirely different contact, the contact on mental health. What we are talking about are neglected, dependent or abused children, children who are in need of foster care placement or people . . . or children who have been adjudicated as



not address itself to that specific subject, so I really can't answer that; but you're speaking of a policy matter in the Department of Children and Family Services."

Palmer: "Well, I suspect that probably it does for the reason that if people in this state would like to adopt those children, then that would cut down the cost to the taxpayers of this state, and that's not the sole consideration, . . . ah . . . the better consideration, of course, would be . . . would be for parents . . . qualified parents to adopt these children; and . . . ah . . . if that's the . . . I . . . I'd like to know what the attitude of the Department is on these things. I'm curious when I indicate . . ."

Dyer: "Yes."

Palmer: ". . . ah . . . that they drag their feet . . . that is, the Department drags its feet or I get very little or no cooperation to people who would like to adopt foster children."

Dyer: "Ah . . . Representative Palmer, I understand your point, and you may have a very valid point; however, I should point out that the children that are being protected under the Interstate Compact are children who have not been offered foster homes. In most cases, they are not really . . . ah . . . easily adoptable children. Ah . . . if you are out with an adopted child, we would probably want a very young baby, whom we could raise as our own. Ah . . . The children that are protected under this compact, most of them . . . of the caseload that we have now, are disturbed teenagers or they are not readily adoptable."

Palmer: "All right . . . all right, thank you very much."

Speaker Miller: "The Gentleman from Champaign, Mr. Clabaugh. All right, the Gentleman from . . . ah . . . Madison, Mr. Walters."

Walters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Palmer, brought up a good point, and I'd like for you all to take notice that when we're talking about the Department of Children and Family Services, we're talking about the Department that is operated by Jerome Miller, Director Jerome Miller. We have had more complaints in our district on Director Miller in the last year and a half that he's been associated with this Department



not address itself to that specific subject, so I really can't answer that; but you're speaking of a policy matter in the Department of Children and Family Services."

Palmer: "Well, I suspect that probably it does for the reason that if people in this state would like to adopt those children, then that would cut down the cost to the taxpayers of this state, and that's not the sole consideration, . . . ah . . . the better consideration, of course, would be . . . would be for parents . . . qualified parents to adopt these children; and . . . ah . . . if that's the . . . I . . . I'd like to know what the attitude of the Department is on these things. I'm curious when I indicate . . ."

Dyer: "Yes."

Palmer: ". . . ah . . . that they drag their feet . . . that is, the Department drags its feet or I get very little or no cooperation to people who would like to adopt foster children."

Dyer: "Ah . . . Representative Palmer, I understand your point, and you may have a very valid point; however, I should point out that the children that are being protected under the Interstate Compact are children who have not been offered foster homes. In most cases, they are not really . . . ah . . . easily adoptable children. Ah . . . if you are out with an adopted child, we would probably want a very young baby, whom we could raise as our own. Ah . . . The children that are protected under this compact, most of them . . . of the caseload that we have now, are disturbed teenagers or they are not readily adoptable."

Palmer: "All right . . . all right, thank you very much."

Speaker Miller: "The Gentleman from Champaign, Mr. Clabaugh. All right, the Gentleman from . . . ah . . . Madison, Mr. Walters."

Walters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Palmer, brought up a good point, and I'd like for you all to take notice that when we're talking about the Department of Children and Family Services, we're talking about the Department that is operated by Jerome Miller, Director Jerome Miller. We have had more complaints in our district on Director Miller in the last year and a half that he's been associated with this Department



than any Department I've had since I've been a Legislator. I believe that Representative Dyer may have a good Bill, but I believe we should take a better look and find a better place to put it until Director Miller is more accountable to the way he runs his Department. Thank you, Mr. Speaker."

Speaker Miller: "The Gentleman from Cook, . . . ah . . . Representative Davis."

Davis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, last summer we formed an ad hoc Committee to investigate the placement of children out . . . especially outside of the state; and this was done because of a series of articles that appeared in the Sun Times . . . ah . . . which spurred on to this investigation. We found many, many abuses, we even found that children was being placed in out . . . out-of-state institutions without even being diagnosed. We found some conditions in some of those institutions . . . ah . . . where they had a front office . . . ah . . . which looked beautiful and the children were received in this office, but they would be ported out on some farm where they were put in wire cages as if they were not human beings; and what am I saying, I'm saying that if we had had a Bill like this that the distinguished Lady here is the Chief Sponsor on Interstate Compact Bills, some of those out-of-state placement centers were licensed and were not required to have licenses. If we'd had such a Bill as this, I don't believe such a thing as that could've happened; and I urge every Member of this House, especially on this side of the House, to vote for this Bill. This is the beginning to the end of sending children outside of this state to be abused and mistreated and the state pay the Bill. The State of Illinois pay the Bill for abusing and mistreating children. Please vote for it."

Speaker Miller: "The Gentleman from Cook, Mr. William Walsh."

Walsh, W.: "Mr. Speaker, and Ladies and Gentlemen of the House, I think that the proponents of this Bill are . . . ah . . . anticipating a great more from it . . . ah . . . than we can possibly expect to get. I'm afraid that we sitting here in the . . . our



new Chambers sometimes think of ourselves as great problem solvers and anything that comes up we can take care of. To the last Gentleman that spoke, I'd like to point out that the case he mentions, the one that got so much publicity in a Chicago newspaper involved a Texas institution that the Department of Children and Family Services sent . . . ah . . . their charges to and the Texas institution as we all know abused the privilege of taking care of these children. That situation won't be changed one iota, because Texas is not a member of the Interstate Compact on Children, and from what I understand, they do not plan on becoming members of this compact. So that really what we're doing is we're proliferating compacts. We got any number of compacts in the hundreds that . . . ah . . . none of us know anything about or what they do. This is . . . ah . . . just big government bureaucracy nonsense. We're attempting here to take the Department off the hook for something that they ought to be doing anyway. It's a simple matter for them to clear with Iowa or Wisconsin or anyplace else. What the facilities that they intend to send children to provide. That's no trick at all. I don't see why we need this legislation to do that. Furthermore, we're a state with 11,000,000, better than 11,000,000 people, we certainly ought to be able to take care of anything in the way of children that comes up. There's no need for this. We're fooling ourselves. I suggest to you that you vote 'no'."

Speaker Blair: "Ah . . . The Gentleman from Madison, Mr. Kennedy."

Kennedy: "Thank you, Mr. Speaker, . . . ah . . . I wonder if the Lady would yield to a question?"

Speaker Blair: "Indicates he will . . . she will."

Kennedy: "Representative Dyer, . . . ah . . . when Representative Walters talked about the trouble we're having with Jerome Miller in the 56th District, I wonder what this Bill would do to the place where the children in private institutions, would it hurt them or would it help them?"

Dyer: "Ah . . . This can only help children, in both public and private institutions. There is no way that this can hurt any child. Let



me repeat, this Bill was not drawn up at the request of . . . ah . . . Director Miller. This was drawn up as the result of the investigative study by the Legislative team for child care that was set up by this Body, the Ad Hoc Committee, to try to remedy some of the situations that existed under the Department policy. Also the Commission on Children at the direction of that investigative Committee did a study of the placement of children. It was out of those two studies that this Bill came as an attempt to see that dependents and neglected children in Illinois whether they're going to be placed in public institutions or private have a floor under the licensing and under the suitability of the placement . . . ah . . . in other states; and that we have a check on it."

Speaker Blair: "Ah . . . Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, would the Lady yield to a question?"

Ah . . . Madame Representative, do I understand correctly, the purpose of your Bill is to allow this compact inasmuch as we don't as yet have facilities for the young people involved, isn't that correct?"

Dyer: "That's correct."

Geo-Karis: "All right. Mr. Speaker, I'd like to speak to the Bill. Mr. Speaker, and Ladies and Gentlemen of the House, we cannot get facilities overnight for the needs of the young people involved. We've had enough tragic experiences in the past because we haven't looked forward ahead enough. This Bill simply would allow us to make necessary contracts with other states to make good provision for the children of Illinois going into other states because we lack the equipment and facilities at this time. I certainly feel it's a worthwhile Bill and much as I agree with the former Representatives . . . the Representative who spoke before as to Mr. Miller's position on Child and Family Care and so forth, I do feel we got to take care of the needs that are there now; and inasmuch as we don't have the facilities as yet, we should be allowed to contract and contract in a way where we can look forward and look into how our children are being treated in another state and I speak for the Bill."



Speaker Blair: "Ah . . . Further discussion? The Lady from Lake . . .
Mr., I'm sorry, Mr. Hunsicker."

Hunsicker: "Mr. Speaker, and Ladies and Gentlemen of the House, the Representative who just spoke told the truth as far as this Bill is concerned. I happen to be a member of the Illinois Commission on Children, and this Ad Hoc Committee did a magnificent job in reporting back what the problems were, and in our discussions that we had, this is the Bill that came out. It was not at the request of the Department of Children and Family Services. So they had nothing to do with it. This is a good Bill and it's a step in the right direction to protect the children of the State of Illinois; and I urge your 'yes' vote."

Speaker Blair: "Ah . . . Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, it's a pleasure for me to stand up and support this Interstate Compact Bill on behalf of its Sponsor and the Commission on Children. Everyone in this room knows how I feel about the Department of Children and Family Services. I'd like to reiterate my companion, Mr. Hunsicker's statement, this has only to do with the availability of facilities of a unique nature. Please support it, it's badly needed for the kids of the State of Illinois."

Speaker Blair: "Ah . . . Mr. Holloway."

Holloway: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this is a good Bill. In response to the statement by the Majority Leader relative to the proliferation of . . . of bureaucracy, I'd like to say that the purpose of this Interstate Compact is to establish standards, rather than take the Department of Children and Family Services off the hook . . . ah . . . this Bill will give a . . . a means and a standard of measurement, whereby, we can tell whether or not the Department of Children and Family Services is really a job in the best interest of the children of this state. For that reason I urge an 'aye' vote on this Bill."

Speaker Blair: "All right. Further . . . ah . . . Mr. McLendon."

McLendon: "Yes, . . . ah . . . Mr. Speaker, I move the previous question



on this, please."

Speaker Blair: "All those in favor say 'aye', opposed 'no'; the 'ayes' have it, the previous question has been moved. Now, back to the Lady from Lake . . . the Lady from Lake, I like that, the Lady from DuPage, Mrs. Dyer."

Dyer: "Thank you, Mr. Speaker. Ah . . . I appreciate all the comments that have been made . . . ah . . . by my fellow Legislators in support of this much-needed Bill. This is a step toward giving this Body control over what happened to the deli . . . dependents or neglected children, children who would like to be adopted, but for some reason have not been, if they have to placed out of this state. In answer to my earthwhile plan, the Majority Leader, I would like to remind him, yes, Texas is not a member of this Compact. That was part of the problem last year. That's the very problem we're trying to remedy, and obviously once we enter into this compact, we would only send children to the 20 other states that are part of the compact. This is a corrective, curative Bill, and if you want to support the welfare of children in Illinois, I urge your 'yes' vote on this good Bill."

Speaker Blair: "All right, the question is, shall House Bill 2201 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the Record. On this question there are 135 'ayes', 3 'nays', 3 'present': and this Bill having received a constitutional majority is, hereby, declared passed. Now. . . ah . . . Mrs. Stiehl, would you like your 2234? Okay."

Clerk Selcke: "House Bill 2234, Stiehl, an Act to authorize the imposition of municipal use taxes and county use taxes. Third Reading of the Bill. Yeah, Cissy Stiehl. Go ahead."

Stiehl: "Ah . . . Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2234 is a tax equalization Bill. It allows counties and municipalities to impose up to 1% use tax on motor vehicles, boats and airplanes purchased out of state, but brought into Illinois to be registered and titled. It's purpose is to correct a very serious deficiency in existing statutes. Presently, businesses in border areas are subjected to an undue burden because



of this 1% tax differential. This Bill passed out of the Revenue Committee unanimously. It has been endorsed by the Department of Revenue, the Illinois State Taxpayer's Association, the Motor Vehicle Laws' Commission and the Illinois Automotive Trade Association. I would ask for an affirmative vote. Thank you."

Speaker Blair: "Ah . . . Discussion? All right, the question is, shall House Bill 2234 pass? All those in favor will vote 'aye', the opposed 'no'. Ah . . . Mr. Maragos."

Maragos: "Ah . . . Mr. Speaker, I'm in favor of this piece of legislation. However, I should also remind the Lady, who is the Chief Sponsor of this Bill, because I'm a Cosponsor of the Bill, that we also have another commitment, that's House Bill 2725 has to be considered by Revenue Committee, which is more extensive in its approach than this one, will also be supported by her and Members on her side aisle. I think it's a good Bill and we should support it."

Speaker Blair: "Have all voted who wish? The Clerk will take the Record. Palmer 'aye'. Epton 'aye'. On this question there are 146 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. 2242, Mr. Hoffman, is Mr. Clabaugh handling?"

Clerk Selcke: "House Bill 2242, appropriation for the Superintendent of Public Instruction. Third Reading of the Bill."

Speaker Blair: "Ah . . . Do you want 2243? Does the Gentleman have leave to have 2243 as a companion Bill heard . . . read 2243."

Clerk Selcke: "House Bill 2243, an Act in relation to instructional media and services in elementary and secondary schools of this state. Third Reading of the Bill. Turn him on."

Clabaugh: "Mr. Speaker and Members of the House, House Bill 2242 is an appropriation of \$99,000 to implement . . . to start implement the provisions of House Bill 2243 and to explain the reason for --42, and I shall briefly explain --43 to you. This Bill provides for a program of state aid to the various educational media, meaning the libraries, the visual aids of the various flag program and so on that go into the instructional media . . . ah . . . in . . . ah



. . . the public schools of the state. After the years that I have worked with the public schools in this state, I have felt for a long time that the weakest link in our whole educational chain in the State of Illinois is mainly our library; and a survey by a professional group was made that shows that less than one percent of all of the school libraries in the State of Illinois met with the re . . . professional staff requirements, only a third met the standards of library material expenditures set up by professional groups, and less than two-thirds met the adequate standards for book collection and less than 4% of the school libraries in the state have adequate space for their use; and this program like many others that have been neg . . . this area like many others that have been neglected in the educational field need very much the tough priming . . . ah . . . qualities that these two Bills will bring to it. The Bill will be . . . ah . . . administered, the Act would be administered by the office . . . State Office of Education and in order to set up the guidelines for action because there's no attempt to start this program this year, a Committee of 15 people throughout the state will be appointed to draw up the guideline . . . ah . . . for the administration of this Act. I know very many of the pe . . . many of the people very well who were interested in this program, and I know of their intense desire to get this program . . . ah . . . off the ground in the right way. Now, Ladies and Gentlemen of the House, this is a boys and girls' Bill. This is a Bill to improve the educ . . . educational facilities . . . ah . . . an opportunity that offers to the boys and girls of the state. It was brought out in one of the Committees where the Bill was heard how inadequate some of the school districts are providing this assistance in these particular fields. The Bill provides that any district that qualifies shall be able to receive \$2 per year, per student involved, it also provides that the state to pay one half, \$5,000, as it does in special education on the . . . for each professional person that is employed. Now, this is a totally voluntary program. A school district does not have to become involved unless it chooses.



So it's in the hands of this Legislature to determine just what the cost would be. Various estimates of the cost have been made by people who really know something about this program feel that for the first several years \$2 to \$2,500,000 a year . . . ah . . . would be the extent of it, and I . . . and I would say that really . . . really the . . . ah . . . benefits that would come to boys and girls who this would be a great deal of help to our system, and Ladies and Gentlemen, I ask for your support for this good Bill."

Speaker Blair: "Discussion? Mr. Juckett."

Juckett: "Thank you, Mr. Speaker. Will the Sponsor yield to a couple of questions?"

Clabaugh: "Yes."

Speaker Blair: "He indicates he will."

Juckett: "Ah . . . Is this a brand new program which the state is just starting up?"

Clabaugh: "Yes, Sir."

Juckett: "Was it a Federal program prior to this?"

Clabaugh: "Some parts of it was."

Juckett: "Is the Federal funding now ceasing?"

Clabaugh: "It is . . . there was 10 consultants in the state office . . . ah . . . mostly paid by Federal funds, and now as that, like many others, is tapering off. There is one in there . . . totally inadequate for the job."

Juckett: "So then we would now need the state funds to replace the Federal Pilot Program . . . ah . . . to continue the program, is that correct?"

Clabaugh: "Yes, I guess that's one way of putting it, Bob."

Juckett: "Who sets the standards that you indicated that we are so woefully lacking here in the State of Illinois?"

Clabaugh: "The 15 member Advisory Committee, which would be paid for not in salaries, but in trusts of operation for year . . . ah . . . called . . . which called for the \$99,000."

Juckett: "Well, no, you indicated that . . . ah . . . so many of our districts were woefully lacking in . . . ah . . . their personnel, and



their buildings and their books, et cetera, as being well below standards, I heard some as low as 25%, who sets those standards?"

Clabaugh: "The same Committee."

Juckett: "Well, if the Committee is just being formed, how can we already know what the standards are that we're lacking."

Clabaugh: "Well, you can't, that's what this . . . that's the purpose of this first small appropriation of \$99,000. It's not virtually . . . is not a new procedure . . . ah . . . Representative, in setting up programs of this size, we have them in almost every field that I know."

Juckett: "Well, then how do we know that we're below the standards?"

Clabaugh: "Well, I was thinking from a different way. Why there's professional . . . professional organizations that . . . that made this survey, just like the professional organizations in engineering if you go to find out whether a building meets various space need . . . and fire standards and so on."

Juckett: "In other words, this might be the Library . . . ah . . . Director's Association or the . . . ah . . . Library Worker's Association, or Bookseller's Association or et cetera like that?"

Clabaugh: "No, now, wait a minute, let's don't confuse this thing. The . . . the group that are the . . . made these . . . this survey to tell us what our needs were . . . ah . . . how many were meeting these various needs is some professional group, I don't know what group it is; but the 15-member Committee would be appointed by the state office and they would . . . I would hope they'd have some people on it that would know something about it. But certainly it wouldn't be all of that kind, and we have some commitments to that effect."

Juckett: "Do you have any idea . . . now, you indicated that this \$99,000 would be a small appropriation . . . do you have any idea what it would run when their recommendations come back as to how many millions or hundreds of thousands, et cetera, that it would cost . . . ah . . . to bring these up to standards?"

Clabaugh: "I stated that in my opening statement. I'll tell it again. That a good survey from people who know . . . ah . . . feel that



probably \$2 or 2,500,000 would be what the annual cost would be for awhile. Now, certainly, just like the special education program that has gone as far as it has . . . ah . . . and you are sensitive to that . . . ah . . . you wouldn't . . . you wouldn't abolish it simply because it's costing a lot of money. Now, I would hope that it would cost in some time a good deal more than \$2 or \$2,500,000 as there were more participants in it because the very sad state of our school libraries generally . . . ah . . . is very obvious . . . ah . . . evidence of the need."

Juckett: "Well, touche' on your reference to special education, but I think there is one difference, and that is that the state mandates that every school district shall have special education and they set up the standards, and when the school district doesn't have the money . . . ah . . . then I think the state is at fault if it does not fund it; but I've got some grave reservations as to the amount of money that's . . . that this is gonna' cost. We're talking \$99,000 just for the study and then \$2½ to \$3,000,000 . . . ah . . . each year while the program is in effect, and there's really no limitation and I'm getting clues that it might be more than \$4 or \$5,000,000 . . . ah . . . I think that maybe we should just have the study and then have the study report back and see what that is before we start obligating ourselves to spending untold millions of dollars. Thank you."

Clabaugh: "Bob, Bob, you're not so new around here that you think that the Special Education Program has al . . . always been a mandated program. I had the Bill that made it a mandated program, and this Legislature accepted it only because the voluntary program had been successful up to a point, and it hasn't grown a great more since that. Thanks to you, it has grown a lot . . . ah . . . in the last four or five years; and so . . . ah . . . I don't think that that . . . that the cost of the program is in argument against it if it is doing the job and it . . . as I said a moment ago, it's entirely up to this Legislature at any time to appropriate the amount of money that it feels like it should for this program."



Speaker Blair: "Mr. Polk."

Polk: "Will the Sponsor yield to a question?"

Clabaugh: "Yes, Sir."

Polk: "Ah . . . Mr. Clabaugh, I noticed in the Digest that this came out of Secondary . . . Elementary and Secondary Education Committee 22 to nothing. Does this . . . would this indicate then that the Office of the Superintendent of Public Instruction is supporting this legislation?"

Clabaugh: "I don't know, he didn't draw it."

Polk: "Ah . . . He did not oppose the Bill?"

Clabaugh: "No, there was no opposition."

Polk: "With a vote of 22 to nothing, would this indicate that the . . . ah . . . that the Department . . . the Library Section did not oppose the Bill, did they support it?"

Clabaugh: "The who?"

Polk: "That State Library Association?"

Clabaugh: "Oh, the President of the State Library Association is a principle mover."

Polk: "Did they indicate that there are adequate staff and adequate teachers available to supplement . . . ah . . . this . . . ah . . . if this went into . . . ah . . . to supplement this so schools would have adequate teachers available?"

Clabaugh: "Yes, Mrs. Bease, who is the librarian in the Urbana Schools and who we have talked about this thing for a good many years, . . . ah . . . told us . . . told us the other day that as rapidly as they think that the people will take ahold of it, there are plenty of librarians. In fact, there are a good many librarians he told me, is news to me, working as clerks in two districts that have Bachelor's and Master's Degree in Library Science."

Polk: "I understand that the state then will supplement . . . ah . . . up to \$5,000 per teacher, what would be the normal starting salary for a librarian of this type?"

Clabaugh: "The same as is it for the other form of teaching force. They are professionals. If you have salary schedules, and they all do, it'd be the same. This would not effect their salary at all. That's



just a gauge upon which the school would receive money."

Polk: "All right, then the school also receives \$2 per student to help supplement this program, is that correct?"

Clabaugh: "Yes."

Polk: "Fine, thank you."

Speaker Blair: "Further . . . ah . . . further discussion? The . . . the Gentleman to close. Mr. Clabaugh."

Clabaugh: "Roll Call, Mr. Speaker."

Speaker Blair: "All right, the question is, shall . . . ah . . . these two Bills, House Bills 2242, 2243, pass? All those in favor will vote 'aye', opposed 'no'. The Clerk will take one Roll Call and xerox it to the second one. Have all voted who wished? The Clerk will take the Record. Choate 'present'. All right, on each of these questions there are 126 'ayes' and 7 'nays'; and House Bills 2242 and 2243 having received . . . each received the constitutional majority is, hereby, declared passed, 1 'present' there. He might think so on 3, Fred, 4, Fred, yeah. All right, is Mr. Katz on the scene with his 2244? Mr. . . . ah . . . VonBoeckman, you want on that last Bill 'aye'? Mr. VonBoeckman 'aye'. Mr. Pierce, for what purpose do you arise?"

Pierce: "Mr. Speaker, I neglected to . . . ah . . . request that you have the Journal show Representative Katz excused on . . . ah . . . official business, at least she told me it was, and he'll be back tomorrow and be pleased to handle his Bill . . . ah . . . tomorrow, is that's all right. Okay, may the Journal show . . . ah . . . Representative Katz . . ."

Speaker Blair: "Yeah, the Journal . . . the Journal may show that Mr. Katz is wherever you say."

Pierce: ". . . and he . . . and he will . . . ah . . . he will want that taken out of the Record today, that Bill."

Speaker Blair: "Right, well, we don't . . . ah . . . call Bills, you know, unless the Members are on the floor. We're going right down the Calendar now. Ah . . . Mr. Craig on your 2340. Mr. Craig, do you want your 2340? Okay, Read it a third . . ."

Clerk Selcke: "House Bill 2340, an Act to amend Section 15-307 of the



Illinois Vehicle Code. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker and Members of the House, what House Bill 2340 really does is make the well-drillers of Illinois, which only involves possibly 30 to 50 operators in the State of Illinois, and now then they have to get a permit for each and every time they go to drill for a well. This will give them a 90-day permit and it will enable . . . this permit will be good for 90 days within a 75-mile radius of their base . . . their homebase. Ah . . . there's no difference in the weights or anything and the Department of Transportation will specify the bridges or things like that that they cannot cross over, which they do now under the single-trip permit, and that is the only difference in this Bill. Gives a 90-day permit against a single permit."

Speaker Blair: "Discussion? Any discussion on this Bill? The Gentleman care to close? The question is, shall House Bill 2340 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Ah . . . Mr. Thompson 'aye'. Have all voted who wished? Have all voted who wished? The Clerk will take the Record. On this question there are 98 'ayes', 9 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Mr. Hoffman on 2343; 20 'present'."

Clerk Selcke: "House Bill 2343, an Act to amend Section 20 of and to add Section 20d to the Revenue Act of '39. Third Reading of the Bill."

Speaker Blair: "The Gentleman from Cook, Mr. Ron Hoffman."

Hoffman, R.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House.

This House Bill 2343 addresses itself to a very serious problem in the State of Illinois, which on a day-by-day basis tends to get more acute in some of the northern areas of the state. The State of Illinois as providing for their citizens park and recreational facilities ranks one of the lowest of all the states. As an industrial state, we have not taken the insight to anticipate land-usage for park and recreational fa . . . ah . . . facilities in the last many years. In many of the northern municipalities, there just



is no longer viable land in a position to be purchased if the money were available. Many of the individual municipalities and the park districts, therein, even if the park district had the financial means do not have sufficient land available to purchase and provide recreational facilities. As everyone of this House knows the individual park districts in the State of Illinois are probably one of the poorest of all the taxing agencies with very little future of anticipating changing this pro . . . ah . . . process. What this Bill seeks to do is allow the individual park forests to enter into a contract with owners of tracts of land regardless of their size for a minimum time period of five years so that this land then could be utilized for park and recreational facilities. The title to this property would not be transferred, it would be a contractual agreement between the individual park forest and the owners of this land. They would not be allowed to build permanent facilities on it, but would be allowed to provide ball diamonds, tracks, anything that would possibly utilize open land for recreational purposes. The individual bur . . . boards considering these types of contractual agreements would assume the liability of anything occurring on that property and would also pro . . . have to provide in a means of keeping it clean and keeping it to the point where it would be usable. I think it would go a long way in some of the municipalities that we are concerned with of cleaning up some of these areas that are reverting to dumping areas . . . ah . . . areas where 'flag' is dropped or debris is dropped and for individual municipalities provide a better, more useful area for the unimproved property. This Bill would enable the property in question to be under public easements and, thereby, assess at a lower rate, incurring for the owner of this property a tax inducement to offer his land in this manner. It's something the park districts have only way to go on and I would solicit your support."

Speaker Blair: "Ah . . . Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, would the Sponsor yield to a question?"

Speaker Blair: "He indicates that he will."



Geo-Karis: "Representative, do I understand you correctly that if the park district . . . what this . . . what your Bill refers to is to land that the park district can contract for, is that correct, for a minimum period of five years?"

Hoffman, R.: "Correct."

Geo-Karis: "And during that time you feel that the valuation of assessments should be decreased, is that correct?"

Hoffman, R.: "For the owner of the property, it would be decreased because it would be declared a public easement."

Geo-Karis: "And is . . . would this also apply to an option to purchase land for five years by . . . by this park district?"

Hoffman, R.: "It could, but I think it would be rare because the park districts still . . . the park districts per se generally are not in a position to buy. If they were financially, I think . . . ah . . . it would acquiring the land as they go."

Geo-Karis: "All right, thank you."

Speaker Blair: "Ah . . . Mr. Pierce."

Pierce: "Mr. Speaker, would the Sponsor yield to a question? Ah . . . Mr. Hoffman, would this Bill allow a private owner of real estate to rent his land for five years or longer to a park district to collect the rent and then to have the property at the same time either removed from the tax roll or least have a substantial reduction in assessments so his taxes go way down. So he's at the same time both collecting rent from the park district and not paying any tax or maybe very little tax to the taxing authorities, is that what the Bill does?"

Hoffman, R.: "No, no, Representative Pierce, it does not provide for the owner of this property to rent the parcel, it allows him to enter at the board's discretion into contract with the board to declare that property as . . . as encumbered by a public easement. There is no dollar amount paid by the park districts to the owner of the land. The only thing it does as encumbered by a public easement decreases the assessment on it."

Pierce: "I see, the park district doesn't have the money to purchase the land at the time and . . . ah . . . maybe some day they will so



he . . . ah . . . without compensation . . . without compensation, he lets the park district use the land for a minimum of five years, is that right?"

Hoffman, R.: "Yes, Representative, I think those of us close to the park district no longer believe in the good fairy, and I don't think the park districts are going to be anticipating greater revenues available to purchase land, and at the rate property is going up now, this is the only way that they individually can provide more ball diamonds, more tracts, anything in the municipality for the kids."

Pierce: "Well, Mr. Speaker, the . . . the Bill appears all right to me if . . . if the landowners who receive no compensation during this five or six year period, and he has this public easement on his land, at least the public use of his land, then certainly he should be entitled . . . ah . . . to some . . . ah . . . recognition of that in his real estate assessment. I just wonder from reading the Bill whether it's clear that this applies only where the land owner who . . . ah . . . contracts with the park district receives no compensation at all during that five-year or longer period. I don't see that in here. If it's in here somewhere that I don't see then the Bill would seem to be a good one. If on the other hand, the landowner can receive both compensation from the park district and . . . and exemption of lowering their real estate tax, then . . . then it's not such a good Bill; and I just . . . ah . . . maybe in his closing remarks . . . ah . . . the Sponsor of the Bill can point out where in the Bill it makes it clear that the landowner under the contract is . . . is to receive no compensation whatsoever from the park districts when he gets his taxes reduced."

Hoffman, R.: "The original thrust . . . the original thrust of this . . . ah . . . type of legislation here was knowing that the park districts are not in a position to assume any more in . . . ah . . . financial encumbrance than before, and . . . ah . . . I think we refrained from inserting reference to rental fees on here so that we may not imply that . . . ah . . . they could be collected."



I think the biggest financial investment for the park district and will be part of the consideration here, is they would be under an obligation to keep the property clean and provide recreational facilities on it. So I think their financial investment would be at that level only."

Speaker Blair: "Mr. Hill, Jack Hill."

Hill: "I wonder if the Sponsor would yield? What happens if . . . ah . . . the five years comes up and . . . ah . . . there isn't a bonifide contract involved or there is a contract involved and it's cancelled, and for these . . . ah . . . five years, they receive a reduced assessment, what happens then?"

Hoffman, R.: "At the time the contract is not renewed by either parties, the property goes back on the rolls at the current assessment rates for that year."

Hill: "Well, isn't this some sort of subterfuge whereby some big land-owner could get out from underneath the property taxes for a period of five years, and . . . ah . . . then come to the conclusion he can sell this property at a hi . . . much higher rate . . . ah . . . because of the extended period of time for business purposes or other purposes. I . . . I don't think this is a healthy situation."

Hoffman, R.: "No, I think the reverse is true in that . . . ah . . . there will probably be many offers to the individual park districts of available land, but then it relies within the purview of the park members, and they know what they can afford to provide by way of maintenance because they are going to be assuming the liability for anything that happens on the park or all of the land that is under contract. So they are going to be very apprehensive about committing to a contractual basis for five years or longer. The park district's ability to keep this area clean and . . . ah . . . kept up, and I don't think any large tract owners are going to find that it's a subterfuge or any type of a haven for them because the board members are going to have to cognizant of how much money they have available to provide on that land because this Bill mandates that they do provide something."

Hill: "Well, sure they could provide something, but . . . ah . . . that



certainly could be much less than the . . . ah . . . property is worth as far as assessments are concerned. Ah . . ."

Hoffman, R.: "Well, in most cases for the areas that would interested in this, is these are the impacted areas, Jack, north really from you, and it would be a matter where the board would know exactly how many ball diamonds they could put on it or how many skating rinks they could put on it or how many . . . ah . . . portable tracts or facilities such as this; but any time they do anything, and as I say their mandated to provide recreational facilities on it, they know that they must keep it up, and there's a dollar amount attached to the park board's ability to do this. So they're not going to go under contract for 100 acres if they can't keep it up."

Hill: "Ah . . . Mr. Speaker, I'd like to speak . . . ah . . . to the Bill itself. It still hasn't been clarified in my own mind whether or not a large property owner could use a piece of legislation like this in order to get out from underneath the assessments in the areas that I represent. Ah . . . The Sponsor of the piece of legislation says that . . . ah . . . the park district will have to keep this property up; but it seems to me that keeping the property up might mean that they would send a mower in there and cut the grass about . . . ah . . . every three or four weeks and that would be the obligation of the park district could assume. I don't believe this is a good piece of legislation. It appears to me that large property owners could come underneath this piece of legislation and get out from the large assessments that we find in areas like Kane, DuPage, and Kendall and Will County. I think it's a bad Bill and certainly should be defeated. Thank you."

Speaker Blair: "Ah . . . Mr. Palmer."

Palmer: "If the . . . ah . . . Gentleman would yield for a question, Mr. Speaker? Will he yield?"

Speaker Blair: "Yes, he says he will."

Palmer: "Mr. Hoffman, . . . ah . . . the minimum term on the lease is five years. It cannot be cancelled prior to that time?"



Hoffman, R.: "Under the terms of the contract, these are individual contracts, they could put the stipulation in a mutual agreement between the board and the property owner."

Palmer: "You mean decision within the five years . . . termination within the five years by agreement of both parties?"

Hoffman, R.: "You could have qualifications if some unforeseen thing developed where in the best interest of the municipality or the park district . . . ah . . . yes, they . . . they could put that stipulation in."

Palmer: "I'd like to address myself to the Bill, Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, it seems to me that this is a method of financing for park districts which is not now available to any great extent. The park districts in the suburban area of Cook County at least are hard pressed for lands for recreational purposes. If they want to buy that land now, they perhaps will have to pay about \$25,000 an acre for it depending on the area. By the use of this type of Bill . . . this type of financial arrangement, the taxpayers, of course, would save a great amount of money by doing it this way. Landowners also would benefit and perhaps suffer a little bit inasmuch as his land would be tied up for the time of the agreement, he could not use it. The public would benefit because they could use that land for . . . ah . . . those recreational purposes. At the end or the termination of the lease, at the end of the term or termination of the lease, then the landowner would benefit for the reason that more than likely with the offendency or offending or escalating land valuations, if he did do something with the land at that time, he would derive a great benefit, a larger benefit for it . . . from it more than in years prior. The . . . ah . . . the taxing bodies would benefit by the increased taxes. Suffice it to say that the problem now is with bond issues all over if a park district is failing because of . . . ah . . . when they issue bonds or seek to issue bonds for acquisition of real estate for recreational purposes, and with those bond issues failing there's got to be some alternative, and I feel that this is a very



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good alternative to that, and I would hope that some of the persons here speaking in opposition would examine it a little bit more closely and talk with some members of the park boards about it. I urge a 'yes' vote on the Bill."

Speaker Blair: "Ah . . . Mr. Maragos."

Maragos: "Ah . . . Will the Speak . . . will the Sponsor yield to a question? Representative Hoffman, when we brought this before Committee, several of us had questions regarding whether that . . . on a windfall through the property owner who allegedly would be using this . . . be giving this property for public and recreational and noble purposes, but, in effect, would be enhancing the property at the expense of the public. Would you have any objection to bringing this to Second Reading and have a restriction as to the amount of consideration the property owner would receive from the public body and for the park district or whatever body would be using it that he would not be making any profit on this during the time that they are using this property for recreational purposes . . . a \$1 year lease or some other type of a similar agreement."

Hoffman, R.: "Ah . . . Representative, there will be no compensation made to the owner. In previous debate I indicated that there would be no rental fees involved. This is a dedication under a contractual basis for a period of five years or longer. The only inducement is to have the property reassessed at a lower amount; but there is no provision in this Bill to compensate the owner from the park district."

Palmer: "But the Bill itself does not put that restriction on it that there will be no compensation and . . . ah . . . what bothers me is from a legal standpoint that there's no consideration whatsoever. It may not be a binding agreement, and either party can by their own volition at any time say it is no taxable . . . ah . . . there are no . . . ah . . . consideration in this contract, I can rescind it any time I want, and, therefore, to meet . . . ah . . . this benefit . . . say for two years, the property owner decides that he wants to develop this property. Since there's been no actual



consideration paid by the authority, whether it be a park district or recreational authority, whatever it may be, and they . . . and they have already themselves committed themselves to a budget and this man pulls the rug from under them or this person who owns the property, what restriction will we have since there's been no consideration given to the . . . ah . . . owner to bind him to a contract for five years or whatever the term of the period may be. That's what concerns me."

Hoffman, R.: "I really don't feel that, number one, the park districts are going to be negotiating this type of a contract in mind with a figure amount that they would compensate because they don't have the money; secondly, I can anticipate that in most instances here, the . . . ah . . . negotiations on a piece of property are going to be for a piece of property that has been dormant for some time, and the person-owning this property is going to anticipate it being dormant for some time; but the . . . your figure of five years, we have found, would give both parties sufficient time to anticipate if the person who owns the property only wanted to go for five years, and you have to keep in mind, too, that when we talk about keeping the property up, there is a dollar amount of tax to that as far as cleaning up the individual parcel in question and possibly . . . ah . . . creating track paths on it or a football field or a ball diamond or something like that; but if the contract would come to its conclusion and it would revert back to the owner, the only thing that would exist on there is still the portable facilities, which could be easily removed, and the vacant land."

Palmer: "Well, I'm going to vote for the Bill, but I still have these reservations; I would like, I think, if you want to wait 'til it gets to the Senate, to put a restrictive . . . ah . . . amount that the park district can pay for the consideration. I know what you're trying to say that by performance, they also be . . . by maintaining it, they say that they are . . . ah . . . going to be considering, but then they may be buying a law . . . law suit in case the owner decides overnight if he gets a windfall of an . . . of an offer to sell that property, he could pull the rug from under



them. That's why I say if he had a regular lease, even for \$10, or \$1 or \$5 a year, he would be more strictly bound to that lease and could not pull the rug from under the park . . . the public authority at the time that they would be spending money to develop his land or maintaining that property for the purposes of which they have . . . ah . . . agreed to take it."

Speaker Blair: "Ah . . . Mr. Sangmei . . . Mr. Skinner, now, Mr. Skinner."

Skinner: "Yes, Mr. Speaker, will the Sponsor yield for a question?"

Speaker Blair: "He indicates he will."

Skinner: "No? Ah . . . Throughout this debate, you've been saying that the assessment will go down if a recreational easement is granted, and I'm not sure whether you really mean that because if I can give you one specific example of an area that is a rapidly growing area, and a developer comes into a park district and says, 'Here take my land for the next five years, I'm not going to develop this area in four or five years. It would seem to me that the value of that property would be virtually entirely anticipated. That is, what it would be worth five years from that point. Now, from each year into the easement, the value would continue to increase as the . . . the date of development became closer. So we . . . as I read this Bill, it says 'Any depreciation occasioned by such easements shall be deducted'. There is not . . . there will not necessarily be any depreciation, will there?"

Hoffman, R.: "As I am informed, there will be under the attitude that it is encumbered by a public easement; but as even the analysis as done for us has indicated this would be strictly up to the local assessors."

Skinner: "Well, if I may speak to the Bill, Mr. Speaker, it seems to me that it is not up . . . it is . . . while it is up to the local assessor to determine what value is, he does not create value, all he does is discover what that value is. Now, a recreational easement in a situation such as I have described would not automatically cause a depreciation of the property in question, and, in fact, the property's value might . . . might increase throughout the life



of the recreational easement. So it seems to me that the Digest is certainly incorrect in its sweeping statement that any such recreational easement shall automatically . . . ah . . . result in a . . . ah . . . a real estate assessment. Now, in some cases this might happen, but it would have to be determined on a case-by-case situation."

Speaker Blair: "Ah . . . Mr. Sangmeister is next, I think."

Sangmeister: "Mr. Speaker, I believe there's been sufficient discussion on this question, and I move the previous question."

Speaker Blair: "Well, wait a minute . . . ah . . . if you'd hold that, Mr. Jaffe seems to have an im . . ."

Jaffe: "Would the Gentleman yield for a question?"

Speaker Blair: ". . . have an important . . . Mr. Sangmeister says he'll hold it there for Mr. Jaffe to raise his question there."

Jaffe: "Yeah, Ron, will you tell us what a recreational purpose would be? In other words, could it possibly . . . ah . . . something like a . . . an amusement park, would that be a recreational purpose, an amusement park, for . . . for profit?"

Hoffman, R.: "No, . . . ah . . . Representative, I think what the association is looking for is putting in, one of the biggest things we found anyway, are little league diamonds, ball diamonds, . . . ah . . . handball faci . . . not . . . ah . . . the permanent handball facilities, the portable handball facilities, junior tracks for track, that type of thing."

Jaffe: "Well, but there's no definition of recreational purpose actually in . . . in the Bill is there? I . . . I do not find the definition of . . . ah . . . of a recreational purpose. So the way I look at the Bill, it could possibly used for an amusement park for . . . to have this making profit. Is there any . . . is there anything in the Bill that would give you a definition other than what I have said?"

Hoffman, R.: "There is no legal definition. However, I think you'll find that the park districts in the State of Illinois have not encumbered any of their operations with that type of a facility or that type of a . . ."



Jaffe: "Well, I'm . . . I'm not talking about a park district necessarily, I'm just talking about a recreational purpose and it isn't limited to a park district, is it."

Hoffman, R.: "But the itself directs itself only to the park district."

Jaffe: "Well, I . . . I don't know. I don't actually it in that particular fashion. Ah . . ."

Hoffman, R.: "A recreational facility such as you described as a . . . ah . . . amusement park could not encumber a public easement. They are not a taxing body, thereby, would have no posture as far as creating a public easement. The only ones that can create a public easement is the governmental body."

Jaffe: ". . . well, . . . ah . . . where do you get into the public easement over here? Where do you see that in the Bill? I . . ."

Hoffman, R.: "In line 10, 'to be considered encumbent with a public easement' on page 2."

Jaffe: "Okay, thank you."

Hoffman, R.: "Mr. Speaker, if I might close?"

Speaker Blair: "Yes."

Hoffman, R.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, as everyone in this Chamber knows the park districts in the State of Illinois are really grasping and trying to do the job that they would like to do and provide, whereas, as Representative Clabaugh says 'the boys and girls'. One of the biggest handicaps is the fact that we just do not have the land the pure, unadulterated land to provide even ball diamonds. We're groping for something . . . some vehicle to provide so kids in all neighborhoods will have an area where they can feel free to exercise and . . . ah . . . feel that they are able to play ball without having to play in the streets or back alleys or something like that, and I find in the Park Association at this point feels that this is one way, one small way that we can take one more step to do the job for the kids in the State of Illinois; and I would solicit an 'aye' vote."

Speaker Blair: "Mr. Leinenweber, Mr. Sangmeister indicates he'll yield on his previous question for you."



Leinenweber: "Thank you, Mr. Speaker, I did have one question if the Gentleman would yield because I . . . there's a matter in here concerns me and that is whether or not the Bill in its first sentence or the first part of the sentence provides . . . ah . . . the public easement regardless of whether or not the owner would go ahead to qualify for the assessment reductions. Was that your intention to create a public easement?"

Hoffman, R.: "I'm sorry, Representative, I caught only the last part of that."

Leinenweber: "Well, it appears to me that the first four lines of the . . . of . . . ah . . . the Amendment, that's line 7 through 10, creates a public easement in the event a property owner permits the general public to use his land for parks or recreational purposes, and then it goes to provide that in that event if the property owners goes on and does A, B and C, then he may be entitled to a reduction in assessments; but it does not appear that the creation of the public easement is dependent upon the A, B and C required in the Act, is that true?"

Hoffman, R.: "No, Representative, actually it is the opposite. It is based upon the contractual agreement in the provisions, thereof, that it then becomes a public easement."

Leinenweber: "Has the Bill been amended?"

Hoffman, R.: "No, Representative, it has not."

Leinenweber: "It appears to me in this . . . I'd like to address myself to the Bill, and it's a matter of some concern, and I would think that it ought to be . . . ah . . . taken back and amended to make sure that that is true, but in the first four lines, a public easement is created any time unimproved real estate is set aside for park or recreational purposes; then and only then if the property owner goes ahead and does the three things necessary under the Bill, he may be entitled to a reduction in assessment. However, the public easement would still be there. This would, in my opinion, create . . . ah . . . title objection, and the only way to remove it would be by a suit to fight a title; and . . . ah . . . the public would have a party, and I think this would tend to work



against the . . . the aim of the Bill because people would be afraid . . . scared to death to permit kids to play on their vacant property for fear that the public might obtain an easement. This would . . . ah . . . require all property owners, I think, to fence their property, put up signs saying 'No Playing' and so forth on it; and I think it would work against the aim of the Bill."

Hoffman, R.: "Well, Representative, in answer to your query, it is based upon the provision on line 13 if the conditions set forth are applicable to, then it becomes a public easement; and, of course, as I had indicated before, only a public body can create a public easement."

Speaker Blair: "All right, is there any further discussion? Does the Gentleman care to close?"

Hoffman, R.: "I would hate to tie up any more time of the House; as I say, I speak for the park districts and the Association of the State of Illinois in that we're only trying to provide a little more with very little at our disposal, and I solicit an 'aye' vote."

Speaker Blair: "All right, the question is, shall House Bill 2343 pass? All those in favor will vote 'aye' and the opposed 'no'. Take . . . this . . . the Gentleman from Cook, Mr. Ron Hoffman."

Hoffman, R.: "Thank you, Mr. Speaker. I hate to take up any more time of the House on this, and I would ask serious consideration on this because those of you that possibly haven't been in contact with the parks or have worked with their boards, either as an elected official or as a volunteer, you'll find that one of the biggest things we have here is we don't have any latitude, we certainly don't have the taxing ability; but we don't have the latitude to do the jobs that these boards are there to try to put together. One of the Speakers prior to was talking about the cost of land, one of the areas that I went into here . . . the only available land that could be purchased was something like \$35,000 an acre. Now, there isn't any park district that I know of in the State of Illinois that has this type of money to but this

property. The only thing we're asking here is to provide so that possibly if land is available and if somebody who owns this land would enter into this type of agreement, we then could provide some type of recreational facilities for the kids in these municipalities."

Speaker Blair: "Have all voted who wish? Mr. Day."

Day: "Mr. Speaker, I'd like to explain my vote. We . . . we had a . . . a situation in . . . in Peoria some eight or ten years ago where we . . . ah . . . attempted to develop some mini-parks . . . ah . . . throughout the city . . . ah . . . whereby, people who had vacant land . . . ah . . . would donate the use of that land for recreational and what we contemplated was things like swing sets, and horseshoe pitching and . . . ah . . . some minor type of recreational facilities. One of the problems was that the landowner was . . . ah . . . reluctant to get involved because of the liability questions and . . . ah . . . the matter of supervising these areas . . . ah . . . this Bill, it seems to me, would provide an incentive . . . ah . . . for this sort of thing, and also . . . ah . . . would make it possible for the . . . ah . . . park and recreational people to get in there and . . . ah . . . supervise them and administer a program like this. It seems to me like it's an excellent Bill and . . . ah . . . I think that it will keep the kids off of the street and . . . and would provide some very fine facilities so that . . . ah . . . those kids that . . . ah . . . can't get a mile or two miles to the city park would have a place where they could play and . . . ah . . . hopefully . . . ah . . . in a safe place and . . . ah . . . have the advantages of areas such as this. I think it's a good Bill."

Speaker Blair: "All right. Have all voted who wished? The Gentleman from Cook, Mr. Ron Hoffman."

Hoffman, R.: "Thank you, Mr. Speaker. I see 44 'present' votes up there, and every one of the Members that I see voting 'present', and some are which I can identify the park district is their particular area, I think because of the importance of this to the Association and too I . . . what I feel the growth in the State of Illinois, I



would ask those Members that are possibly voting 'present' if I Postponed Consideration at this time that they might check with their park district and get a reading on it. It's a very important Bill to the State of Illinois, Mr. Speaker; and, therefore, I ask Postponed Consideration."

Speaker Blair: "All right, pursuant to the rules, the Bill will be placed on the order of Postponed Consideration. Now, we have a little break here for an introduction in behalf of Representatives Harpstrite . . . ah . . . Stedelin and Brummet, we have the . . . ah . . . Friends of the Old Capitol, . . . ah . . . we have the Historical Site Manager for the Vandalia State House which was the original Capitol, and Catherine Fredrick, who is President of the Springfield Capitol and she wants to extend an invitation to the Membership."

Unknown: "This is Mrs. Fredrick, Mr. Blair . . ."

Mrs. Fredrick: "Thank you very much. Speaker Blair and Members of the House of the . . . of Representatives of the great State of Illinois. It is my pleasure at this time to invite you to be our guests at Vandalia in oldest existing Capitol Building in Illinois. This is for the 7th Annual Grand Levee, which will be held on June 15th this year, and it is from 7:30 until 9:30 in the evening. This Grand Levee is an open house of the type that would have been held during the time the Capitol was there. There is serious costumes, candlelight only, chamber music and refreshments. I'd like to invite each of you, your families and your friends and any other persons within hearing to attend this. In the afternoon of this same day, there will be on the beautiful, shaded lawn of the State House an exhibit of . . . of Capitol Period crafts. Now, we realize that you're very busy and we won't take a great deal of your time. So I won't enumerate this. I would like to say that this event is an annual event; it is sponsored by the Department of Conservation and an organization, Friends of the Old Capitol at Vandalia. We thank you very much; and may I now introduce to you, Miss Josephine Birdsey, who will speak for the Vandalia Historical Society. I forgot my . . . my finishing line, I must say, 'You all



Come'."

Miss Berdsey: "Members of the Illinois House of Representatives, thank you for affording us the opportunity to speak to you. The Ladies in the sesquicentennial gowns are members of the Vandalia Historical Society and I am their President. I wish I could introduce each one to you, but there is not time. This year on October 17th, 18th, 19th and 20th, the Illinois State Historical Society will celebrate their 75th Anniversary in Vandalia at their Fall meeting. Many good programs are planned. There will be tours of historic spots in Vandalia, reminiscences of the 75 years. A premiere of a movie of the history of the Society. Dinners, luncheons, breakfast and a candlelight reception in the impressive State House. It will be a special time to see the early Capitol at this gala event. Now, remember the Grand Levee, June 15th, the Illinois State Historical Society's 75th Anniversary, October 17th, 18th, 19th and 20th. Thank you for your generosity in giving us this time in your crowded schedule. Thank you so much."

Speaker Blair: "Okay. All right, now, we're . . . we're with Mr. Hill now on 2355, appropriations for the expenses of certain agencies of State Government."

Clerk O'Brien: "House Bill 2355, a Bill for an Act to provide for the ordinary and contingent expenses of certain agencies of State Government. Third Reading of the Bill."

Hill: "Ah . . . Mr. Speaker, I'd like to bring this Bill back to Second Reading for Amendment. Mr. Ryan has the Amendment."

Speaker Blair: "All right, all right, the Gentleman have leave? Hearing no objections, the Bill will be brought back; and the Clerk will read the Amendment."

Clerk O'Brien: "Amendment #11, Ryan, amends House Bill 2355 on page 2 by inserting between lines 34 and 35 the following: 'For trauma center operations, \$250,000', and on page 2, line 36, by deleting '\$2,106,200' and inserting in lieu, thereof, '\$2,356,200'. Ryan."

Speaker Blair: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House.

This is the Amendment that we talked about last week on House Bill 2355



to sustain the trauma centers within the state. Ah . . . Representative Hill and I have been doing a little research on this, and we're now in agreement; and I would move for the adoption of Amendment #11."

Speaker Blair: "11?"

Ryan: "11."

Speaker Blair: "All right, is there discussion? The question is on the adoption of the Amendment. All those in favor say 'aye', opposed 'no'; the 'ayes' have it, and the Amendment is adopted. Are there further Amendments? Now, back to Third Reading, and now, Mr. Hill, do you want to proceed? All right, Mr. Hill."

Hill: "Ah . . . Mr. Speaker and Members of the House, this is the appropriation Bill for the Department of Public Health and Comprehensive Health Planning Agency. Ah . . . I certainly would appreciate your vote."

Speaker Blair: "Is there any discussion? All right, the question is, shall House Bill 2355 pass? All those in favor will vote 'aye' and the opposed 'no'. Well, I . . . on, yeah . . . ah . . . the board is still open, everybody on there? Jimmy Taylor 'aye'. All right. Have all voted who wished? The Clerk will take the Record. On this question there are 135 'ayes', right? . . . pick up one, 100 . . . who? Jimmy . . . Taylor went on there, I know that . . . all right, 100 . . . all right, Murphy 'aye' . . . 135 . . . Mr. Davis, 130 . . . Mr. Neff . . . 137 'ayes', no 'nays'; this Bill having received the constitutional majority is, hereby, declared passed. McGrew here? He is? Where's Mr. McGrew? Mrs. Martin, are you ready on your appropriation for the Governor? All right, read 2362."

Clerk O'Brien: "House Bill 2362, a Bill for an Act to provide for the ordinary and contingent expenses of the office of the Governor. Third Reading of the Bill."

Martin: "Mr. Speaker, and Ladies and Gentlemen, . . . ah . . . this is the appropriation Bill for the executive mansion and the executive offices of the Governor in the amount of \$1,330,000 votes, . . . ah . . . sorry, I really . . . I really won that one, I really won that



one . . . \$1,330,000 and I'd appreciate a favorable vote."

Speaker Blair: "Is there further discussion? The question is, shall House Bill 2362 pass? All those in favor will vote . . . all those in favor will vote 'aye' and the opposed 'no'. All right, have all . . . Choate 'aye' . . . all right, have all voted who wished? The Clerk will take the Record. On this question there are 133 'ayes' and 5 'nays'."

Martin: "Thank you for the 1,330,000 votes."

Speaker Blair: "\$1,000,000 what? This Bill having received the constitutional majority is, hereby, declared passed. Mr. DiPrima on 2363."

Clerk O'Brien: "House Bill 2363, DiPrima, a Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Veteran's Commission. Third Reading of the Bill."

DiPrima: "Mr. Speaker, Ladies and Gentlemen of the House, this is the . . . ah . . . appropriation for the ensuing years. I would appreciate a favorable vote."

Speaker Blair: "Is there discussion? The question is, shall House Bill 24 . . . 2363 pass? All those in favor will vote 'aye' and the opposed 'no'. Capuzi 'aye'. Have all voted who wished? The Clerk will take the Record. On this question there are 148 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Ah . . . Zeke 'aye'. Mr. Deuster, how about your 2407, do you want to wait? All right. Mr. Krause now on supplemental appropriation. 2419, then."

Clerk O'Brien: "House Bill 2419, a Bill for an Act making a supplemental appropriation to the Department of General Services. Third Reading of the Bill."

Krause: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, House Bill 2419 is a supplemental appropriation in the amount of \$175,000, no votes, to the Department of General Services; and I would appreciate your support."

Unknown: "No votes?"

Krause: "No votes."

Speaker Blair: "Ah . . . Discussion? The question is, shall House Bill



2419 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? The Clerk will take the Record. Maragos 'aye'. On this question there are 146 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Now, Mr. DiPrima on your . . . on your supplemental appropriation, 2458, you've got a supplemental for the Veteran's Commission."

Clerk O'Brien: "House Bill 2458, a Bill for an Act to amend Sections 1 and 2 of an Act to provide for the ordinary and contingent expenses of the Illinois Veteran's Commission. Third Reading of the Bill."

DiPrima: "Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . this transfers \$31,680 from grants in aid to operations . . . ah . . . but does not change the total appropriation. I would appreciate a favorable vote."

Speaker Blair: "All right. Have all those . . . All right, any discussion? None? The question is, shall House Bill 2458 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Ah . . . On this question there are 149 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Ah . . . Mr. Bradley, are you ready on 2511? Okay."

Clerk O'Brien: "House Bill 2511, a Bill for an Act to amend Sections 1 and 2 of an Act authorizing counties to levy a tax for the purpose of maintaining public hospitals. Third Reading of the Bill."

Bradley: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this Bill does just exactly as the Clerk has read it. It allows the . . . by referendum of the people to increase the rates from five . . . five cents to twenty-five cents at referendum for the purpose of the maintenance of the hospital. The . . . ah . . . Bill was classified an emergency measure. I have a hospital in DeWitt County that the . . . ah . . . fire safety standards are not being met . . . ah . . . two-thirds of the hospital will be . . . ah . . . torn down or they will not be allowed to use it after December 31st of '76, and . . . ah . . . they figure that they can . . . ah . . . raise their rates . . . ah . . . with this Bill that they can rebuild



or refurbish the hospital . . . ah . . . so we can continue to have a hospital in DeWitt County, and I solicit your support."

Speaker Blair: "Is there discussion? Well, . . . ah . . . do you care to close, Mr. Bradley?"

Bradley: ". . . well, we put the referendum on . . . with an Amendment, right here . . . Mr. Speaker, I again solicit the support, there' been a question . . . ah . . . about the referendum. We put the referendum on . . . on Second Reading with an Amendment. That provision is Amendment #2."

Speaker Blair: "Oh, do you want to bring it back to Second?"

Bradley: "No, Mr. Speaker, there was a question on the referendum.

The referendum was placed on on Second Reading. I'm just answering the question, placed on on Second Reading is Amendment #2. So I . . . and I ask for the support of the House."

Speaker Blair: "All right, is there any further discussion? Mr. Tuerk, the Gentleman from Peoria."

Tuerk: "Ah . . . Mr. Speaker, would the Sponsor yield for a question? Is that a front or a back-door referendum, Jerry?"

Bradley: "It's a front . . . it's a front-door referendum."

Tuerk: "Thank you."

Speaker Blair: "All right, any further discussion? The question is, shall House Bill 2511 pass? All those in favor will vote 'aye' and the opposed 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the Record. On this question there are 134 'ayes', no 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Now, Mr. Bradley, you got your 2512."

Clerk O'Brien: "House Bill 2512, a Bill for an Act to amend Section 18-8 of the School Code. Third Reading of the Bill."

Bradley: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . 2512 addresses itself to one of the serious problems, I think, that we have in our school system today. We're all aware of the fact that we have a phenomena that's existing since the first time since 1930 when we're having decreased students in our schools. Now, we all know that our state-aid formula is based a great deal



upon how many students we have in our schools; and there's a great deal of . . . of . . . ah . . . the amount of local funds into the formula is a great deal of pressure put on there by how much money is produced locally? Now, this Bill in the formula we presently exempt transportation costs at the local level in figuring out our state-aid. What I'm simply doing here, and this is permissive, is saying that the transportation that you are charging locally, those funds can be included in . . . when you're determining your state-aid and when you're determining your local efforts. Now, to give you an example, I have one unit district that charges about \$2.03 or generally \$2.03 . . . or generates \$2.03, it charges that per \$100 assessed valuation. They also charge another twelve cents to transport their students into the school and cover about 200 square miles. They're giving no local effort credit for that twelve cents. For each one cent of local effort in that particular district, they generate approximately \$12,000 in state-aid. Now, when we're losing students, we have to find some way to . . . to . . . that they can continue to receive approximately the same amount of money that they received last year. I think this is an excellent Bill, and if there are any questions on it, I'll be very happy to answer them. I think that if you support this legislation, you can go home and say that you've done something for the schools. Let me say this to you also about regarding full funding. It makes no difference whether we give full funding on the floor of this House when it comes before us or not. Let me equate it to you this way. You put the full funding at the bottom of the well that's 40 feet deep and then you throw the superintendent of the schools a 38 foot rope with a bucket on the end of it, and say 'Help yourself to that money', they can't get to it. This Bill addresses itself to that problem and will allow them to get that 40 feet so they can get some . . . ah . . . some of the money that's coming to them. I think it's a good piece of legislation, and I urge the support of the House."

Speaker Blair: "Discussion? Mr. Skinner."

Skinner: "Mr. Speaker, I rise to oppose this Bill because I fear that it

is a foot in the door by the unit school districts in the State of Illinois, outside of the City of Chicago to . . . to allow them not to have to raise their educational rates in order to qualify for the . . . ah . . . the state-aid education . . . the new state-aid education Bill. Now, one of the reasons the new state-aid education Bill was accepted was because it equalized disparity between the dual districts and the unit districts, and I am extremely fearful that this is a . . . ah . . . an in-run around that . . . ah . . . that principle of uniformity. I would point out to the House that this did not go to the Education Committee. It was not approved by the Education Committee, it instead went to the Revenue Committee, where the knowledge of the state-aid formula is sparse to say the best, and that includes myself."

Speaker Blair: "Ah . . . Mr. Lundy, did you care to be heard? Mr. Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, like Representative Skinner, served on the Revenue Committee which . . . ah . . . to which this Bill was referred. Ah . . . I told the Sponsor at the time he appeared before the Committee that I didn't understand why the Bill, which makes an adjustment in the School Aid Formula, which this House and the Senate passed last year, was referred to the Revenue Committee. It's not really a revenue Bill. It is a Bill which amends the School Aid Formula, and I, for one, as a Member of the Revenue Committee, would like to hear from Representative Gene Hoffman . . . ah . . . those Members of the House that serve on the School Problems' Commission or on the Education Committee as to why . . . ah . . . the transportation levy of school districts was initially left out of calculation of the . . . ah . . . in the School Aid Formula. I'm sure it wasn't done in a . . . ah . . . accidently; I'm sure there was a reason for it, and since we are now asked to change that determination and to put the transportation levy back into the calculation of a district's . . . ah . . . rate for purposes of a . . . the School Aid Formula, I would like to hear from those . . . those Members of the House who considered that original School Aid Formula,



1484, why transportation was originally left out and why we ought to put it back in now."

Speaker Blair: "Further . . . Mr. Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, I am a little concerned about some of the comments made by the previous Speaker to oppose this Bill. Ah . . . I think it is true that this was a matter committed . . . or considered by the Revenue Committee, and that . . . ah . . . possibly this Bill should've gone to another Committee. Ah . . . The fact is . . . ah . . . that there are a number of matters presented to the Revenue Committee involving this particular issue. The issue really is whether or not there is indeed disparity under the School Aid Formula for unit school districts. I would point out to you that while I most often agree with the statements by my colleague, Cal' Skinner, who is very knowledgeable in the matter of . . . ah . . . property tax, that I think he has made a misstatement in his debate on this matter, when he says that this would bring increased disparity . . . ah . . . for . . . between unit districts and school districts. The fact of the matter is that there is disparity now. This Bill is one of the efforts to correct that disparity between the rates that can be levied by unit districts and dual districts; and I would suggest to you that it is a meritorious Bill, but is one which will aid to bring about . . . will . . . will bring about . . . ah . . . a decrease in that disparity and I would ask you to vote for it."

Speaker Blair: "Ah . . . Mr. Clabaugh."

Clabaugh: "Mr. Speaker and Members of the House, I rise to speak for this Bill since it's been requested that someone from the Education Committee speak for the School Problems' Commission. Now, I know that the Representative Bradley was just as much surprised as you or I was when this Bill went to Revenue, instead of coming to Education; but I'm quite sure it would have gotten the unanimous approval in the Education Committee. Now, all it does is simply adds a ver . . . the tax, which is for transportation, which certainly in modern school government is as much a part of the educational tax



rate as any other part or function of it. Now, relative to what Mr. Skinner said, in fact, I've always been a unit district . . . ah . . . person . . . ah . . . and the only objection I have to our formula that we set up last year was the fact that I thought that it pumped over way heavy in front . . . ah . . . in favor of the dual districts and in fact it does very greatly in favor of the dual districts; but I'm not sure that the . . . ah . . . there's any greater percent of unit districts that have . . . ah . . . transportation tax than there are of the dual districts. Now, this simply allow . . . before . . . ah . . . this new formula came in . . . ah . . . the tax rate had no bearing at all upon the amount of state aid they received. Now, it does, and it gives part of the help here that I'm sure a great many of these districts need; and actually I think the opposition to the Bill is based upon false conceptions of either what the situation is or what it does. I urge your support."

Speaker Blair: "Further . . . Mr. Walsh, Mr. William Walsh."

Walsh, W.: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, there's certainly sufficient doubt remaining in mind as to what the real effect of this Bill is relative to units and dual districts; and representing a district that has exclusively dual districts and having for many years been very severely discriminated against, I'm very much on my guard. Now, it seems to me that if this is to attempt to equalize further, and I do think we need further equalization in dual districts, then it's attempting to do so in the wrong way, and that we shouldn't . . . ah . . . be using the transportation tax for the purpose of eliminating . . . ah . . . discrimination. Ah . . . One area of schools that this certainly discriminates against, and an area that I represent a great portion of, and that is schools that do not levy a transportation tax, that do not provide for transportation for their students, who let the students come to school the best way they know how. So I suggest to you that . . . that . . . ah . . . maybe we ought to leave the transportation tax exactly as it is and not discriminate against, for example, Chicago, that does not have a transportation tax, and many



suburban that do not have transportation taxes because certainly by increasing school aid by using the transportation tax as a part of the formula would discriminate against those districts and we ought to use some method if there is a need in this area. So I urge you to vote 'no' on this Bill."

Speaker Blair: "Further discussion? All right, Mr. Bradley to close."

Bradley: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. To clear up a few of the questions that were brought up during the debate . . . ah . . . yes, I was as much surprised as anybody else that the Bill went to the Revenue Committee, and I would've been very happy if it would've gone to the Education Committee, but we had a fair hearing and we do not discriminate in any way against dual districts; and I don't think that this Bill is really trying to . . . ah . . . equate units with dual districts. It's going to help both units and dual districts. Ah . . . If I was going to try to help the . . . ah . . . the units as opposed to the duals, I would have a couple of other Bills in here that would . . . ah . . . allow unit districts to increase their revenue without referendum and get them on a par with the dual districts. We're simply going . . . we're simply rallying it . . . it's permissive, if they want to use it, they can; if they don't want to use it, they don't have to; but it was said on the floor of this House last year, Ladies and Gentlemen, we only had two Bills, we had this new School Formula Bill and we had Art' Berman's Bill. The Art' Berman's Bill would've produced a million more dollars in state aid to the . . . the largest county that I represent, and it was said by the . . . by the man who sponsored the School Formula that we would receive more money this year to our schools than we received last year. Well, they forgot to take into consideration the fact that we're losing students. We're not going to receive more money in my district this year than we received last or the year before. This is an attempt to find some way to just keep us level with what we got last year, seeing as how we're losing students, we have to find some way to get more state aid. If we allow them to count transportation as



as a cost of doing business, and how can you educate students unless you transport them to the school, when we have a school district that covers 200 square miles, they can't walk, we transport them. We should get local effort credit and that's transportation . . . ah . . . funds that we generate locally and that's all we're asking for is that local effort credit that we're now generating. Every Member here can go home and say, 'He did something for his school if he votes for this Bill'; and believe me if you're not going to support it, then how are you going to answer them? I don't care because I explained about full funding. If we . . . if we fund and appropriate \$5,000,000,000 for schools, the schools in the units and the duals simply can't get to the money. This will allow them to at least pick up some of the efforts, some of the money that we're losing when we're losing students. I urge the support of the Members of the House and respectfully request it."

Speaker Blair: "The question is, shall House Bill 2512 pass? All those in favor will vote 'aye' and the opposed 'no'. . Mr. Totten."

Totten: "Thank you, Mr. Speaker and Members of the House, to explain my vote, under the Sponsor's philosophy that the less students we have and we must maintain the same amount of funding, it would appear to me that we create the situation that when we have a minimum amount of students . . . ah . . . we then have a maximum amount of funding; and today we are pouring millions and millions of dollars into our school districts and to do what we are proposing to do by this Bill would appear to me to be a further waste of money, and I would suggest that you carefully look over the implications of this Bill before you vote for it, and I would urge a 'no' vote."

Speaker Blair: "Mr. Berman."

Berman: "Thank you. Mr. Speaker, and Ladies and Gentlemen of the House, I stand in support of this Bill. I think there are some questions that have been raised legitimately as to whether the transportation fund route is the way to go, but I think that it does address itself to an area that the original passage of the Bill, 1484, did not address itself to, and that is to the downstate districts that can't



reach some of the money that . . . ah . . . is needed to support their school districts. Ah . . . In all candor . . . ah . . . the School Aid Formula we passed last year took care of Chicago, took care of the suburban areas, but there were areas that were not properly addressed to; and I think that these downstate districts, whether they are dual or unit districts, should be given some additional help in getting to some of that school aid money that the state is committed to spend; and I, therefore, think that whether you're from Chicago or the suburbs, I think that we have to give recognition to the needs of these school districts downstate, and I'm pleased to vote 'aye' for this Bill."

Speaker Blair : "Ah . . . Mr. Skinner."

Skinner: "Mr. Speaker, I stand to explain my 'no' vote. I'd like to point out in the first place that the Sponsor of this Bill was given every opportunity to have this referred to the Education Committee. In fact, . . . ah . . . the suggestion was made and was rejected. He said, 'No, I want a 'yes' or 'no' vote in the Revenue Committee' among those people who really didn't know what was happening. Ah . . . I'd also like to point out that when we passed the state aid education Bill that goes to \$1,000,000,000, we are talking about spending money to the Education Fund, not to the Transportation Fund. We have other equalizing formulas for the Transportation Fund. Now, the reason this discriminates against dual districts is that the dual districts don't need to be over \$3. They're already at \$3, they've been paying more than their fair share for years. However, the unit districts who were supposed to under this formula to increase their education rates and would have if the . . . if the Representative Bradley's Bill, House Bill 2510, which is virtually a companion Bill to this, it passed, it would've been able to increase it without a referendum; no, they don't really want to do that, they don't want to increase their taxes, they want to increase our taxes. They want our taxes have to go up to subsidize their local in . . . deficient tax rate; and it seems to me that we are really taking the first step of ruining a good state-aid education Bill if this



Bill passes."

Speaker Blair: "Have all voted who wished? Have all voted who wished?"

The Clerk will take the Record. On this question there are 102 'ayes', and 16 'nays', 16 'present'; and this Bill having received the constitutional majority is, hereby, declared passed.

Mr. Totten, do you want . . . do you want your 2522? No. Ah . . . Oh, Mr. William Walsh."

Walsh, W.: "Mr. Speaker, it's my pleasure to introduce the 8th grade graduating class from the Laraway School in Will County. They're in the Gallery on the Democratic side. They're very capably represented some of them by Speaker Blair, Representative Leinenweber, and Representative Sangmeister, Representative Kempiners, Schoeberlein and Hill."

Speaker Blair: "Well, Mr. Totten's not . . . Mr. . . . ah . . . Mr. Miller, do you want to go on yours? Okay, Mr. Miller on his 2522, --29, I'm sorry."

Clerk Selcke: "Ah . . . House Bill 2529, an Act to amend the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Blair: "All right, Mr. Tom Miller."

Miller, T.: "What? Oh, testing . . . are we alive?"

Clerk Selcke: "Yeah, go ahead."

Miller, T.: 'All right, thank you. Thank you, Mr. Speaker and Members of the House. I feel a little bit like a clay pigeon . . . ah . . . all set to be fired up with about . . . ah . . . 100 shotguns . . . all loaded and ready to fire, but with regard to the Regional Transportation Authority, I think we're all familiar with the gunfire and slack that we have faced over the last 18 months, and over the next minute and a half or two, I would hope to be able to convince you to take your trigger . . . or take your finger off the trigger and not try to shoot me down because I know in campaigning for the office of State Representatives, and I believe every one of us did. We campaigned on a pledge for responsible, strong, efficient, fiscally responsible State Government. Now, there are three provisions in House Bill 2529. Number 1, we reduced the bonding power of R.T.A. from \$500,000,000 to \$200,000,000.



Let's pause for a moment and look at that. Do you know that today the Federal Government is matching local money on a four-to-one basis; and with the present bonding power of \$500,000,000, the R.T.A. has the ability to spend \$2,500,000,000 of money to improve mass transit in a six-county area. If we reduced that figure to \$200,000,000, they will still have \$1,000,000,000, \$1,000,000,000 of spending authority to improve transit. Do you know what the pay-back figure is on \$500,000,000 of bonding power over a 40-year period? I asked a man in a bonding house and he told me that at the present interest rate of around 7 or 8% that annual pay-back figure is between \$45 and \$50,000,000 a year. Now, you and I both know that under R.T.A. currently today they have taxing power of about \$170,000,000; and by the time we spend \$50,000,000 a year to pay off bonds, that leaves \$120,000,000 of operating money, and we're familiar with the \$90,000,000 deficit of C.T.A. and the deficits of the suburban bus companies and the commuter railroads, and quite frankly if that bonding power were exercised, there would be no money, no money available for all the improvements in that transit that the proponents have pledged to the residents of the six-county area. It seems to me that if we reduce that bonding power to \$200,000,000, we're telling R.T.A., 'Yes, you have the ability to sell \$200,000,000 in bonds . . . a \$1,000,000,000 of taxing power, and if you need more money, come back to us at a later time'. Why . . . why should we give R.T.A. more than \$1,000,000,000 in spending power at this time? They haven't demonstrated a need. Number 2, when we look at the opposition to R.T.A. in the suburban and collar-county areas, it seems to me that one of the major objections was the gasoline tax of 5% placed on automobiles. Now, if we're going to reduce that bonding power from \$500,000,000 to \$200,000,000, and in the process save about \$30,000,000,000 . . . \$30,000,000 of bonding money every year, we ought to be able to give a tax benefit to these automobile owners in that six-county area. In a typical suburban area, in a two-car family, that 5% gasoline tax tax amounts to about \$70 per year. Now, what this Bill calls for is reducing the 5% gasoline tax to 2%;



and the first point of the Bill is to increase from three-eighth's of 1% to one-half of 1%, the amount that the State of Illinois will pay in contributing their share of revenue to the operation of the six-county R.T.A. The clay pigeon is ready to fly, but before I pull the trigger, if anybody has any questions or anything they'd like to add to it, I'd welcome their input."

Speaker Blair: "Well, I can't imagine there's any discussion on this one. Mr. Shea, you agree with that?"

Shea: "I wonder if he'd to one little question?"

Speaker Blair: "Yeah, he indicates he will."

Shea: "Ah . . . Representative, could you tell me what the additional cost to the General Revenue Fund of the state would be under this proposal?"

Miller, T.: "Yes, Representative. I believe the . . . ah . . . the current amount provided by the three-eighths of 1%, and correct me if I'm wrong, is about \$65,000,000 . . . \$60,000,000; and if we increase that by 25%, we're going to elevate that figure to around \$90,000,000; but keep in mind that if we reduce the bonding power from \$500,000,000 to \$200,000,000, we're going to save about \$25,000,000 right there."

Shea: "Well, what I . . . the figures I got on the yield of the three-thirty seconds, which is a measuring device, is \$81,000,000, which seems to me that you're going to take under this proposal another \$27,000,000 out of General Revenue. You'd reduce the amount from the motor fuel tax by approximately \$39,000,000, which would give a net loss of about \$12,000,000 to the authority under its present thing, plus reducing the bonding powers, is that correct?"

Miller, T.: "Yeah, that's correct, Jerry, and I apologize for representing that figure on \$60,000,000, I was . . . ah . . . believe referring to a estimated gasoline tax; but as you know, and I think it was pointed out on the floor earlier, that the gasoline tax that had initially . . . ah . . . been indicated to produce about \$60,000,000 a year is now . . . ah . . . providing an annual revenue . . . or will provide about \$73,000,000. So we're picking up \$13,000,000 of revenue on our gasoline tax."



Shea: "Am I correct to assume that the authority, if it needed \$60,000,000 in . . . ah . . . each cent produced say \$13 or \$15,000,000, it would only have to go to the 4% figure, it wouldn't have to go to the 5%?"

Miller, T.: "Jerry, I didn't get the full flow of that question, I apologize."

Shea: "The . . . the 5% item is a limitation on the authority of the board, is that correct?"

Miller, T.: "That is correct. It's . . ."

Shea: "So that the board could theoretically impose a tax of only 3% if it only needed that much money, is that correct?"

Miller, T.: "Ah . . . That is correct, Representative, but in . . . in calling for a reduction to 2%, I believe it is an honest effort on our part if we approve this to demonstrate to the people of the six-county area, particularly those who opposed it for this reason, that we're trying to put together an R.T.A. that is not only supported within the city boundaries of Chicago, but throughout the six-county area; and it seems to me that if in the end result by adding and subtracting the various revenues here, we come out with the same amount of revenue and have more people in support of R.T.A. that together we will benefit by it."

Shea: "Could you tell me where the state is going to make up the additional \$27,000,000 out of the General Revenue Fund from?"

Miller, T.: "Well, . . . ah . . . we did . . . ah . . . in 1973 pass the state lottery that is expected to produce about \$65,000,000; but as I recall back in 1973 both sides of the aisle, Leaderships of both sides of the aisle recognized that it was possible for the State of Illinois to produce one half of 1% of sales tax collected in the six-county area; and if you and other people recognized that in 1973, I think you ought to have the ability and wisdom to recognize that it's possible in 1974 as well."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I rise to oppose this Bill. I don't see where the state could lose another \$27,000,000 out of its General Revenue Fund. Right now we're . . . we're looking to fully fund . . . ah . . . schools, we're looking



for additional money for mental health, and I think it would be just outright wrong to take more money out of the General Revenue Fund . . . ah . . . when we've got to worry about schools and mental health and other areas."

Speaker Blair: "Ah . . . Is there any further discussion? Ah . . . Mr. Miller to close."

Miller, T.: "I appreciate, Mr. Speaker, the good doctor's concern over mental health and education and all the other fields, and I'm a general practitioner too, and if we're both in the medical profession, we can look out at the R.T.A. and see a very unhealthy product; and why don't we attend to the biggest cancer we're facing in the State of Illi . . . Illinois today, and that is R.T.A. in its present form. I submit that if we go to work on R.T.A. and cure that problem, then we'll have the ability to cure the other problems of Illinois too. The trigger is about to be pulled on clay pigeon, Fellows and Ladies, and . . . ah . . . you either have the opportunity to pull that trigger, blow it out of the air with your red vote, or let it fly with your green vote; and I encourage your support."

Speaker Blair: "All right, the question is, shall House Bill 2529 pass? All those in favor will vote 'aye' and the opposed 'no'. Ah . . . Have all voted who wished? Have all voted who wished? The Clerk will take the Record. On this question there are 49 'ayes' and 59 'nays', and is . . . ah . . . do you want to work on it a little longer, Mr. Miller?"

Miller, T.: "Well, my good friend, Representative Totten, Mr. Speaker, . . . ah . . . asked if we could possibly get a few more green votes on there so that it would be death with dignity or something like that. The cannon fire was . . ."

Speaker Blair: "Well, let's . . . let's give Totten a few . . . let's give Totten a few more green lights there. Okay, all right, all right. Springer 'aye'. Clabaugh 'aye'. McCormick 'aye'. Look at that, Tom, yeah. Grew . . . McGrew 'aye'. Look at that. Okay. No, no, we're . . . we're all right, now. Is that it? Maragos 'no'? All right, on this question there are 53 'ayes', 60 'nay', 9



'present'; and this Bill having failed to receive a constitutional majority is, hereby, . . . where'd Tom go? . . . is he finished? . . . declared lost. Okay. Mr. LaFluer. Mr. LaFluer, do you want that out of the Record? LaFluer's out of the Record. Mr. Krause, you're 2565?"

Clerk Selcke: "House Bill 2565, . . . ah . . . Krause, an Act in relation to payments for public transportation services provided outside of the territory of the Regional Transportation Authority. Third Reading of the Bill. Ah . . . LaFluer . . . ah . . . I mean, Krause."

Speaker Telcser: "The Gentleman from St. Clair, Representative Krause."

Clerk Selcke: "Yeah."

Krause: "Thank you, Mr. Speaker. Mr. Speaker and Members of the House, House Bill 2565 is a new Act, and it's de . . . and it deals with the downstate transit system and it's a . . . another method, I realize there are more Bills in dealing with the same thing, and this is a method of supplementing the transit system according to the number of riders that they carry, and it . . . and it supplements them at the rate of .20 cents per rider so that it's an incentive program for the downstate transit system. When I had this Bill in Committee of Transportation, it passed out without any dissenting votes. I had several of the transit companies there to testify for the Bill, and prior to moving the Bill at all, I talked to the downstate transit systems, and they have encouraged the passage of this legislation; and I would appreciate your support."

Speaker Telcser: "Is there any discussion? The Gentleman from Cook, Representative Schlickman."

Schlickman: "Will the Sponsor yield for a question? What is the fiscal impact of this program? In other words, what will the cost be to the state on an annual basis?"

Krause: "Approximately \$3,500,000."

Schlickman: "And from which fund will these grants come?"

Krause: "General Revenue."

Schlickman: "And you say the amount of \$3,500,000?"



Krause: "Yeah, \$3,500,000 and it comes from the General Revenue Fund.

There's no road funds involved."

Speaker Telcser: "Ah . . . the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Ah . . . Would the Sponsor yield for a question?"

Speaker Telcser: "Indicates that he will."

Tuerk: "Ah . . . Representative Krause, how does this Bill differ from the other downstate Bills? Ah . . . Could you kind of fill me in? Is this the Bill to take of your bi-state problem?"

Krause: "No, no, this is . . ."

Tuerk: "No?"

Krause: ". . . this is not, Representative Tuerk. This Bill deals with all of the transit systems except bi-state. We took bi-state out of this Bill because it required special handling . . . ah . . . it's more similar to the R.T.A. than the rest of the transit systems are. So, consequently, bi-state is not in this Bill. The difference between this Bill and the other Bills that are introduced is that this reimburses on the . . . ah . . . number of riders that each transit system carries. It's not a direct grant into them for . . . for no reason at all. In other words, it's an incentive program to have the transit systems pick up their riders and . . . and do a better job."

Tuerk: "Thank you."

Speaker Telcser: "Is there further discussion? If not, Representative Krause to close."

Krause: "Thank you, Mr. Speaker and Members of the House; I would certainly appreciate your support for this Bill. I'm sure that we're going to be hearing other Bills in regard to the same matter very shortly, and I would appreciate getting this Bill over to the Senate, where we can get it into Committee there; and I thank you for your support."

Speaker Telcser: "The question is, shall House Bill 2565 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Merlo 'aye'. Merlo 'aye'. Oh, the switches are still open now, Ladies and Gentlemen. Okay, have all



voted who wished? Take the Record. On this question there are 106 'ayes', 24 'nays', 14 answering 'present'. This Bill having received the constitutional majority is, hereby, declared passed. 2624."

Clerk Selcke: "House Bill 2624, . . . whose is that? . . . ah . . . Bradley, an Act making an appropriation to the Board of Regents to pay a portion of the principal and interest of certain University Facilities Revenue Bonds and so forth. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from McLean, Representative Bradley."

Bradley: "Thank you, Mr. Speaker; and Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2624 is something we're all familiar with, and I hope that this will be our . . . ah . . . final action on this particular piece of legislation. What we're doing is appropriating \$5,500,000 from the Capitol Development Bond Board to the Board of Regents . . . ah . . . for payment of the bonds on the . . . ah . . . auditorium . . . union auditorium portion of the facilities at Illinois State University. Ah . . . We gone . . . we passed similar legislation . . . ah . . . pro . . . ah . . . we passed legislation that would appropriate . . . ah . . . funds on a yearly basis to make that particular payment, but I think really this is the . . . ah . . . type of final action that we would all agree that we should have that the Capitol Development Bond Board was . . . ah . . . put into existance for this very purpose, to pay for constructions of buildings, of educational facilities; and I ask the favorable support of the House."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2624 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wish? Capuzi 'aye'. Take the Record. On this question there are 125 'ayes', 1 'nay', 1 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2653."

Clerk Selcke: "House Bill 2653, Schlickman, a Bill for an Act to amend the Regional Transportation Authority Act. Ah . . . Third Reading



of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, I would like leave of the House to return this Bill to Second Reading for the purpose of an Amendment."

Speaker Telcser: "Are there any objections? Hearing none, House Bill 2653? . . . Representative Schneider, for what purpose do you arise, Sir?"

Schneider: "Can I ask the Sponsor a question? Are you sure we're not going to go into another two-day long charade, Gene, are there Amendments ready besides yours?"

Schlickman: "I have no intention of that or desire."

Schneider: "Totten, are there any Amendments on the desk? Are they being printed?"

Speaker Telcser: "Okay, House Bill 2653 is returned to the order of Second Reading. Will the Clerk please read the Amendment. Do you have the Amendment on the desk?"

Clerk Selcke: "Yes."

Speaker Telcser: "Will you read the Amendment? Yeah, return it to Second and . . ."

Clerk Selcke: "Amendment #1, . . . ah . . . Schlickman, amends House Bill 2653 on page 1 and so forth."

Speaker Telcser: "The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, Amendment #1 . . ."

Speaker Telcser: "One . . . ah . . . Gene, . . . ah . . . have the Amendments been distributed?"

Schlickman: "Yes."

Speaker Telcser: "Some of the Members on the Democratic side say they don't have it."

Clerk Selcke: "Yeah, it's been . . ."

Speaker Telcser: "The Clerk indicates it was distributed some time ago. You boys want to bring Representative Shea a copy . . . somebody . . . all right, do you want to proceed, Representative Schlickman?"

Schlickman: "Mr. Speaker and Members of the House, Amender . . . Amendment #1 does eight things. Number one, it places a limitation on the parking tax similar to what this House previously adopted by



Amendment. Number two, it restores the authority of the R.T.A. Board to create a commuter railroad corporation. Number three, it removes the veto authority that the R.T.A. Board has relative to local applications for state and federal funds. This Amendment is identical to one previously adopted by this House. Number four, it clarifies the relationship between the motor gas tax . . . motor fuel gas . . . motor fuel tax and the use tax. Again this is an Amendment similar to one, in fact, identical to one adopted previously by this House. Number six, importantly, it modifies the state pledge to the general obligation bondholders. It does that by going from the specific to the general; and this is an Amendment relative to . . . ah . . . the state's pledge to the bondholders that has received the support of the . . . ah . . . attorneys who drafted the R.T.A. Bill . . . ah . . . last year. Number seven, it restricts the bidding exemption . . . ah . . . provision of the R.T.A. law, again similar to an Amendment that had previously been adopted by this House. Number eight, it prohibits R.T.A. employees . . . ah . . . from going upon a private or public land without doing so . . . ah . . . with reasonable notice and reasonable hours, again similar to a previous Amendment adopted by this House. I would, Mr. Speaker and Members of this House, respectfully move that Amendment #1 to House Bill 2653 be adopted."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, I would respectfully ask that if this Bill is amended on Second Reading that there be attached to it a fiscal note be . . . be . . . before it's moved from Second to Third Reading if it's got any affect on state revenue; and I understand that the provision changes what has been alluded to a pledge of state credit on bonds; and then I would like to ask the Sponsor to yield to questions."

Schlickman: "Well, let me respond to the matter of fiscal note. This Amendment in no way has fiscal implications as far as the state is concerned."

Shea: "Well, Mr. Speaker, I would respectfully say that the rules of this



House and the applicable statutes states when a Bill is taken from Third to Second Reading in amended that if that Amendment has any application to state revenue that we are entitled to a fiscal note. Now, the Sponsor of this Amendment has stated that there is a change in the state's pledge of credit at it . . . as it has been alluded to with regards to the obligation of the State of Illinois; and I would like to once and for all get that question answered and I think the way to get it answered is by way of a fiscal note. Now, there has been an allusion many times on the floor that the general revenue of the state is pledged with the statement in the original R.T.A. Bill that the pledge of credit of this state is behind the sale of bonds. The portion that the Gentleman is attempting to strike will change the impact of that statement, if I understand it, will not? It has nothing to do with that section?"

Speaker Telcser: "Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, for some time now there has been considerable confusion as to what the existing R.T.A. law provides relative to the state's interest in the general obligation bonds to be issued by the R.T.A. Board, and I've heard it said on this floor that the full faith and credit of the state stands behind these G.O. bonds. That is absolutely not so. What the R.T.A. law provides is that the state pledges that it will not alter or change the powers and duties of the board, that it will not alter or change the basis of state funding to R.T.A. so as not to impair the interests of the bondholder. What I am doing by this Amendment is removing the language that specifically prohibits the General Assembly from altering or changing the powers and duties of the Board, eliminating the language that specifically prohibits the General Assembly from changing the basis by which the state funds R.T.A. and stating in general terms that the General Assembly will not do anything to impair the bondholder's interest. In other words, going from the specific to the general. Now, Mr. Speaker, if the . . . the Gentleman from Cook persists with regards to a fiscal note, I would



then ask you whether or not this . . . whether or not the fiscal note law is applicable to this Amendment."

Speaker Telcser: "Representative Shea."

Shea: "Mr. Speaker, I, specifically, ask you to look at page 9 of the Amendment beginning with line 10, where there is deleted from the present R.T.A. Act, 'in addition, the state pledges to and agrees with the holders of the bonds and notes of the authority issued pursuant to this Session that the shate . . . the state shall not limit or alter the . . . the basis on which state funds are to be paid to the authority as provided in this Act or the use of such funds as to impair the terms of any such contract. Now, it has been alluded to many times on the floor of this House, particularly with regards to this one portion, that the state had some obligation impairing the general revenue of the State of Illinois. Now, if I request a fiscal note at this point, because a fiscal note says any alteration or change of the revenue of the state, I think I can finally put this issue to rest by a fiscal note because then the Gentleman will be obligated to tell me what the present revenue or the present obligation of the state is and what the removal of this will do to the revenue of the state, and I think that I have finally found a way to put this bug-a-boo to rest if we get a fiscal note on this point, and I think as a matter of right under the rules of this House and under the applicable statutes if this Amendment is adopted, I'm entitled to a fiscal note."

Speaker Telcser: "Representative Shea, could you . . . ah . . . tell the Chair which Section of the Fiscal Note Act . . . ah . . . to which you refer . . . do you have a copy of the . . . out there?"

Shea: "I think your Parliamentarian can either check the rules, which applies to fiscal notes, or she can check, I believe, it's Section 4, paragraph 63 of the revised statutes of the state, which covers the requirement of fiscal notes on Bill enacted by the General Assembly, Rule 32 is the rules she can look at."

Speaker Telcser: "Representative Schlickman, for what purpose do you arise?"



Schlickman: "Mr. Speaker, I arise simply to call to the attention of the Gentleman from Cook that the issue here is not one of novelty; and I would remind the Gentleman from Cook, if he were to listen, I would remind the Gentleman from Cook, if he were to listen, that twice previously this House adopted Amendments completely eliminating the requirement of the state pledge not to do anything and more specifically to alter or change the powers and duties of the board or alter or change the basis by which the state funds the R.T.A. so as not to impair, and on those two previous occasions when the pledge was eliminated in its entirety, the Gentleman from Cook did not see fit to ask for a fiscal note. Apparently suggesting or implying at that time that a fiscal note was not applicable; and I would suggest, Mr. Speaker and Members of the House, if a fiscal note was not applicable then, it's even less applicable now."

Speaker Telcser: "Representative Shea, do you want . . . Representative Shea."

Shea: "Mr. Speaker, I would respectfully only say that I think I have found a way to get an answer to a question that's been raised many times on the floor of this House, and I think this is the vehicle that I can do it by. I think that my problem was that I wasn't smart enough to do it on the other two Amendments."

Speaker Telcser: "All right, . . . ah . . . we're going to have a copy of the statute brought up to the podium so we can look at the fiscal note statute. You can be at ease for a minute . . . ah . . . in fact, maybe both of you want to come up here . . . ah . . . Representative Schlickman."

Schlickman: "Mr. Speaker, may I suggest that momentarily we take this out of the Record and proceed with other business of the House and then come back to this subsequently."

Speaker Telcser: "All right, okay, Representative Shea on the floor? All right, we're going to take this out of the Record now, and we can . . . both of you can get together on the floor with the statute, and we will then return to this matter. House Bill 2666. No? Out of the Record. House Bill 2709."



Clerk Selcke: "House Bill 2709, an Act making an appropriation to the Fair Employment Practices' Commission. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Davis."

Davis: "Mr. Speaker, and Ladies and Gentlemen of the House, this is the appropriation . . . annual appropriation for Fair Employment Practice. I would be glad to answer any posed questions. I'd like to say that the work of the Commission has been greatly increased and that is why they asked for 99.1 hundred dollars in increase into the appropriation. The staff recommended 43.8, but the Governor and his staff recommended the 99.1. The original Bill provided for 853 . . . \$853,000, with the \$70,000 expected from federal funds; but as was explained, the \$70,000 will not come from federal funds for the simple reason we do not have initiatory powers. The work of the Commission has been greatly increased since we passed that Amendment, which prohibits discrimination because of sex; 37% of the cases that are being heard by every P.C. are cases in which the charges are that women are being discriminated against because of their sex. Let me give you now a synopsis of the number of cases received and returned. From the Federal E.E.O.C. they received something like 1,438 cases, and they had to return 1,227 cases. The total number of charges that's been filed with every P.C. was 2,753. This is since the women have been added. The total charges obtained was 1,624. As I explained to you, our Commission does not have initiatory powers and those cases that are sent by the Federal Government, E.E.O.C., are cases that have been initiated by the Commission; and they must be sent back because there are no complainers in the cases, complaints that have been made to the Commission and the Commission institutes the charges. I ask you now, those of you especially who are saying that you're against E.R.A., and I hear of lot of them saying, 'We're against E.R.A., we're against it because the women have a remedy, and the remedy is in fair employment practice, they don't need the Equal Right's Amendment'. I've heard this argued. Well, if they don't need the Equal Right's Amendment,



they certainly need some investigators, they need some hearing officers, they need some place to go and that's the only place we have for them to go when they've been discriminated against now, it's fair employment practice. How can we . . . in one breath say they don't need the Equal Right's Amendment and in the next breath deny the Fair Employment Practice Commission enough money to take care of the charges? Let me say that we send our young men to Viet Nam, we send them to the foreign battlefields, we teach them how to use guns, we give them the practice in how to use guns and how to kill; when they come back here if they are denied the right to a job, just imagine what goes through their mind. I plead to you in the name of fair play, I plead to you in the name of both sexes who have been discriminated against, some because of their race and others because of their sex, I plead to you to give us a vote for employment practice. Let's send it to the Senate and the Governor of this state has said that he would sign it to see that that agency is fully funded. I'll be glad to submit to any questions."

Speaker Telcser: "Is there any discussion? The question is, shall House Bill 2709 pass? All those in favor sig . . . the Gentleman from DuPage, Representative Hudson."

Hudson: "Ah . . . Mr. Speaker, would the Sponsor yield?"

Speaker Telcser: "Indicates that he will."

Hudson: "Representative Davis, I notice by my Digest here that it mentions . . . ah . . ."

Davis: "I'm trying to hear."

Hudson: ". . . it mentions in my Digest an amount of \$50,000 from federal funds for purposes of coordinating state and federal law; and I wonder if for my enlightenment you would explain . . . ah . . . please the \$50,000 there for that purpose."

Davis: "Mr. . . . Mr. Chairman, as I have said, yeah . . ."

Hudson: "Yes, go ahead."

Davis: ". . . just a minute, I beg your pardon."

Speaker Telcser: "All right, the Gentleman from Cook, Representative Shea."



Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, I would like to introduce some ladies in the balcony, they're from the National Council of Jewish Women in favor of the E.R.A., they're up in the balcony, and I'd like to introduce them to the House."

Davis: ". . . it was . . . shall I go on now . . . it was for the purpose . . . I guess he said, 'Wait a minute' . . . it was for the purpose of coordinating federal and state laws, that's what it was for, but as I said, they said they haven't gotten the money. They testified that they didn't have it."

Hudson: "Thank you."

Davis: "All right."

Speaker Telcser: "Is there further discussion? The question is, shall House Bill 2709 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Okay, have all voted who wished?"

Davis: "Mr. Speaker, in explaining my vote, I say, 'Oh, give thanks onto the Lord, for he is good and is do it forever.'"

Speaker Telcser: "Take the Record. On this question there are 136 'ayes', 3 'nays'; and this Bill having received the constitutional majority is, hereby, declared passed. Tom Miller 'aye'. Tom Miller 'aye'. Representative Berman on the floor? Berman? All right, House Bill 2754."

Clerk Selcke: "House Bill 2754, an Act to amend Section 2 of an Act to provide for the ordinary and contingent expenses of the Office of the Superintendent of Public Instruction. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Mr. Speaker, and Ladies and Gentlemen of the House, I'd ask for leave to return House Bill 2754 back to the order of Second Reading for purposes of an Amendment."

Speaker Telcser: "Are there any objections? Hearing none, return House Bill 2754 to the order of Second and will the Clerk please read the Amendment?"

Clerk Selcke: "Amendment #2, Berman, amends House Bill 2754 on page 5 and so forth."



Speaker Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Thank you. Mr. Speaker, Amendment #2 to House Bill 2754

is an Amendment that adds the payment to the Chicago Board of Education for their claim for the second half of the fiscal year '74 operation of the Chicago Parental School . . . ah . . . this amount was incurred in the second part of the year when the . . . ah . . . school aid was taken over, the parental schools were taken over by Northeastern Illinois University. Ah . . . This amount was expended by the Chicago Board, but never reimbursed to them. It's properly due them. This Amendment has been cleared with the Appropriation staff's of both sides of the aisle. I move for its adoption."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment #2 to House Bill 2754. All in favor 'aye', the opposed 'no'; the Amendment is adopted. Further Amendments? Third Reading. The Bill has been read a third time. Representative Berman, do you wish to have it called?"

Berman: "Yes."

Speaker Telcser: "Okay, the Gentleman from Cook, Representative Berman."

Berman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House; House Bill 2754 is a Bill which recognizes and transfers certain sums of money within the budgets of O.S.P.I. Ah . . . It recognizes certain lapses in funds and . . . ah . . . transfers from those and . . . gives additional funds to deficiency funds . . . deficiency funds for certain other categories. For example, in adult education there's \$3,750,000 lapse, in the full-year incentive program there's a \$75,000 lapse, pupil transportation \$2,818,000 lapse, special education \$3,391,000 lapse, breakfast and school lunch \$1,839,000 lapse, for a total of \$11,873,000. There are deficiency appropriations for special education buildings, \$1,283,000; special education reimbursement of \$1,500,000, and orphanage claims of \$1,008,100. Ah . . . I move the passage of House Bill 2754."

Speaker Telcser: "Is there any discussion? The Gentleman from Cook, Representative Duff."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, it seems that



what the Bill really is is an admission that the Superintendent of Public Instruction . . . ah . . . was way, way off on . . . ah . . . either most of the major items in this budget. What are we doing, correcting his lack of preparation? I mean, . . . ah . . . all the items that the Sponsor . . . ah . . . has indicated are either gross deficiencies that shouldn't have existed or . . . ah . . . overexpenditures that weren't called for when the Bill came through originally. It seems to me that . . . ah . . . one thing we ought to make note of for the Superintendent is that . . . ah . . . he should bring to the Legislature something more accurate and to . . . ah . . . calculation of his needs."

Speaker Telcser: "Is there further discussion? The Gentleman wish to close? Representative Berman? The question is, shall House Bill 2754 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the Record. On this question there are 124 'ayes', no 'nays', 4 answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2778, Representative Beatty. 2778."

Clerk Selcke: "House Bill 2778, a Bill for an Act to amend the Illinois Local Library Act. Third Reading of the Bill."

Speaker Telcser: "The Gentleman . . . okay, the Gentleman from Cook, Representative Beatty. Now, Borchers and Cunningham want to vote 'aye' on the last Bill? Okay."

Beatty: "House Bill 2778 amends the Local Library Act to increase the tax rate to the City of Chicago Library from . . . from .12 cents to .15 cents without referendum, and to raise the tax rate upon referendum from .20 cents to .40 cents. There have been a lot of increase of costs of the library, not only in the City of Chicago, but everywhere, the price of books has gone up 38% since 1969, the cost of help . . . hired help has gone up substantially, the . . . ah . . . services the library are going to . . . ah . . . the . . . ah . . . City of Chicago Library is going to . . . I have an . . . an addition at the . . . ah . . . of a new Research and Records Center. The library . . . the Central Library building is undergoing renova-



tion and large sums of money are going to be required to move and relocate the different departments. There is no opposition that I know to this Bill. I believe that is good for the City of Chicago and also for the areas in the vicinity of Chicago since the city library services many of the suburban areas. As many of you know, we held hearings on the Subcommittee of the Revenue Committee relative to forming libraries and we found out as a result that the City of Chicago does a great deal for the communities in its area in servicing and providing various materials, and I would urge you to vote 'yes' on this Bill."

Speaker Telcser: "Is there any discussion? The Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Will the Sponsor yield to a question?"

Speaker Telcser: "Indicates that he will."

Beatty: "Yes."

Gibbs: "I understand from the synopsis here that the . . . ah . . . the tax rate is increased from .15 to .40 . . . ah . . . with the referendum. As I understand it the referendum is not required then for the other increase from 12 to 15%, is that right?"

Beatty: "Well, what this Bill does is actually increases the tax rate without referendum from .12 cents per hundred to .15 cents per hundred. If any additional increase is needed, that would have to be by referendum."

Gibbs: "Okay, but the first one enters without a referendum, is that right?"

Beatty: "Pardon me?"

Gibbs: "The first one is without a referendum?"

Beatty: "Yeah."

Gibbs: "Thank you."

Speaker Telcser: "Is there further discussion? Representative Griesheimer, did you seek recognition? No? The Gentleman from Cook, Representative Palmer."

Palmer: "If the Sponsor would yield for a question?"

Speaker Telcser: "He indicates that he will."

Palmer: "Ah . . . Is there a separate elected Library Board for Chicago, is



that . . . ah . . . the City Council function?"

Beatty: "Well, actually there cannot be an increase without the Legislature authorizing if there is no other way."

Palmer: "I know . . . who is the governing body of the Library . . . ah . . . the Chicago Public Library?"

Beatty: "There's a Library Board."

Palmer: "Is that appointed by the City Council?"

Beatty: "I'm not sure, but I think that probably that is the case, it's by the Mayor of the city."

Palmer: "By the Mayor of the city?"

Beatty: "Yes, with the approval of the City Council."

Speaker Telcser: "The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "Ah . . . Mr. Speaker, will the Sponsor yield for a question?"

Speaker Telcser: "He indicates that he will."

Griesheimer: "Ah . . . Representative Beatty, in this particular Bill is it my understanding that this applies to all Library Districts throughout the State of Illinois or only Chicago?"

Beatty: "Those that have a pop . . . cities having a population of 500,000 or more, which I believe is just Chicago."

Griesheimer: "I see."

Beatty: "Incidentally along with this . . . ah . . . Chicago is the only Library District in the whole State of Illinois which now has a tax rate of .12 cents, all the rest are at a minimum of .15 cents. So this brings Chicago to the minimal level of every other library in the state; and the Civic Federation has supported this particular piece of legislation."

Speaker Telcser: "Is there further discussion? Does the Gentleman wish to close?"

Beatty: "I just urge an affirmative vote."

Speaker Telcser: "The question is, shall House Bill 2778 pass? Those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Bluthardt."

Bluthardt: "Mr. Speaker and Members of the House, I'm sorry I didn't get to the mic' in time . . . in time to be recognized before the issue was called to a vote. I wanted to point out though that



while Chicago's rate may be lower than the other Library Districts by, I think, three-tenths of a cent they do have an additional rate, building rate that wasn't mentioned; and so that if you increase the tax in Chicago for the Library District, you're not only going to bring them equal in the rate to downstate libraries, you're going to give them .2 cents more than downstate libraries. I don't think today is the day to be increasing taxes, and . . . ah . . . because of that I'm voting 'no'."

Speaker Telcser: "Have all voted who wish? Take the Record. On this question there are 115 'ayes', 11 'nays', 8 answering 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 2790. Record Representative Brinkmeier as voting 'aye'. Duff 'aye'. On this question there are 117 'ayes', 11 'nays' . . . answering 'present'; this Bill having received the constitutional majority is, hereby, declared passed. I think I said that once already. Have you read 2790 a third time, Mr. Clerk? House Bill 2790."

Clerk Selcke: "House Bill 2790, an Act to amend Section 3.04 and so forth of the Senior Citizens' Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Sangamon, Representative Jones."

Jones, J.: "Mr. Speaker, . . . ah . . . before taking up the Bill, could I have leave of the House to add the Sponsors to this Bill that were so indicated last week so it could be a matter of record?"

Speaker Telcser: "Yes, all they have to do is fill out the form or . . ."

Jones, J.: "Well, we've already done that, we've done that by a check sheet, but they . . ."

Speaker Telcser: "Repre . . ."

Jones, J.: ". . . Reference Bureau wants the approval of the House . . . leave of the House to enter those additional Sponsors."

Speaker Telcser: ". . . the Clerk informs me that it's already been done."

Jones, J.: "All right, I see. Okay. Mr. Speaker, Ladies and Gentlemen of the House, House Bills 270. . . 2790 and 2791 are the products of the Senior Citizens' Tax Relief Subcommittee action that conducted



extensive hearings . . . ah . . . throughout the state in regard to a number of Bills related to this subject that were on the Revenue Committee Calendar; and as a result of the study and the hearings, we present today . . . ah . . . House Bills 2790 and 2791, which were in our report, which was submitted to all the Members last week. Now, basically, 2790 takes the current circuit-breaker legislation and improves it by expanding the coverage, by improving the awareness of the availability of this . . . ah . . . state aid, and mainly the Amendment in 2790 of the . . . amends the basic Act by lowering the trigger figure to 4%. As you know, the present Act provides for an aid for those over 65 . . . ah . . . either for rent or . . . ah . . . real estate property tax payment that exceeds 6% of their income up to \$3,000 and 7% over that. This Bill reduces that trigger figure to 4%, and we think by this that it will double the coverage of those who have received claims, about half of the people who have filed under the . . . ah . . . information that was submitted as to where they might possibly be a claimant . . . ah . . . have not received claims and that . . . ah . . . by lowering the trigger figure to 4% that will . . . ah . . . greatly increase the number of those who are eligible for claiming the grant. We've also improved the language by including the mobile-home owners, they were excluded in the old legislation because it was a privilege tax and not a property tax. The nursing home qualification has been cleared, so that . . . that portion of the nursing home care, which is . . . ah . . . I believe their rent . . . ah . . . will . . . will qualify. Also to be sure that the new supplemental assistance Act would not bar those from . . . under social security would not bar those from receiving those grants was clarified. Also improve the form and with the table so that the applicant could take a look at the table and see whether or not they would be likely to receive a claim; and it mandates the Department of Aging to take the promotion . . . ah . . . practice of the legislation to see that every senior citizen in the State of Illinois, who has possibly could come under the coverage of these grants . . . ah . . . was made



aware of the availability and that . . . ah . . . where to go and how to fill out the claims and so on. So that basically is the coverage of 2790 and . . . ah . . . which we now submit for your approval and . . . ah . . . many of you have indicated you . . . you were agreeable to be a Sponsor of the Bill and . . . ah . . . I now urge your green light to verify that support."

Speaker Telcser: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Would the Gentleman yield for a question?"

Speaker Telcser: "He indicates that he will."

Leinenweber: "Representative Jones, you mentioned the trigger is 4%, in my synopsis it says it's 5% . . ."

Jones, J.: "It was amended to 4."

Leinenweber: ". . . it was amended to 4. Well, I would certainly support the Bill . . . ah . . . I think this is the one Act that has provided significant, realistic tax relief to those people who are most in need of it, and that is our elderly real estate . . . ah . . . homeowners, and I would certainly go along and request a favorable vote on it."

Speaker Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Would the Speaker . . . would the Sponsor yield for a question?"

Jones, J.: "Sure."

Speaker Telcser: "He indicates that he will."

Berman: "Dave, what's the fiscal im . . . impact of 2790? Ah . . . What will it cost?"

Jones, J.: "Ah . . . The . . . the appropriation that's in the Department of Revenue for this is \$35,000,000, and our calculations indicate that that will cover the . . . the expanded coverage."

Berman: "How does that compare to the cost of the circuit breaker last year?"

Jones, J.: "\$27,000,000 was last year, and about \$20,000,000 was allocated because there were \$9,000,000 left because . . . ah . . . the people didn't claim it."

Berman: "Well, then . . . ah . . . their estimate are only an increase of \$6. In actuality it's an increase of from \$20 to \$35, is that correct?"



Jones, J.: "That's correct, Sir."

Berman: "Thank you."

Speaker Telcser: "The Gentleman from Union, Representative Choate."

Choate: "Ah . . . Representative Jones, did I understand you to say that the Department of Revenue has included in their budgetary requests the amount of money that it will take to implement this legislation?"

Jones, J.: "Well, our estimation that it would cover it, Sir."

Choate: "Pardon?"

Jones, J.: "\$35,000,000 is in the appropriation compared to \$29 appropriated last year on what's about . . . only about \$20,000,000 was . . . was claimed under the . . ."

Choate: "Well, our estimate is that this will increase . . . ah . . . approximately \$9,000,000's of dollars."

Jones, J.: "Well, that would . . . would cover it, Sir."

Choate: "I . . . I . . . no, what I asked you, did they anticipate this legislation when they made their budgetary requests?"

Jones, J.: "I'm not sure of that, Sir, but the amount is . . . is in their and the present \$29,000,000 . . ."

Choate: "You . . . you have talked to the Department about it?"

Jones, J.: ". . . yes, and your staff has also researched this and possibly the \$29,000,000 that's in there this year could cover it, but if the increased applicants do come aboard as a result of the urging, you might say, the Department of Aging, it might possibly go over that amount and if it did . . . ah . . . there's \$35,000,000 in the appropriation for that."

Speaker Telcser: "The Lady from Lake, Representative Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, will the . . . ah . . . Sponsor yield to a question?"

Speaker Telcser: "He indicates that he will."

Geo-Karis: "Representative Jones, do I understand that the limitation on the amount of the grant is at 4% or 5%?"

Jones, J.: "We amended it on Second Reading to 4%."

Geo-Karis: "The reason I'm asking you is in the Digest it shows 5%."

Jones, J.: "No, 4% is where it is now."



Geo-Karis: "All right, and I'd like to speak on the Bill, Mr. Speaker."

Speaker Telcser: "Proceed."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I think that this is one of the most important Bills that this Assembly can . . . can pass. We talk about how greatly we want to help . . . how much we want to help our senior citizens and still don't do enough. Many corporations terminate people when they're just at the prime of their life, when they're 55, or 60, 65 and they still are in great mentally and physically and yet they ease them out, and yet they tell us, 'Well, we want to help the senior citizens'. Now, this is the way to help the senior citizens, a senior citizen is a season citizen and we're all going to pass through those portals, and I feel that all of us would lend complete support to this great Bill. We cannot do enough for our senior citizens, we have yet to reach this stage, and for Heaven's sake, let's all help Dave Jones put this Bill across."

Speaker Telcser: "The Gentleman from Fayette, Representative Brummet."

Brummet: "Mr. Speaker, would the Sponsor an . . . answer a question?"

Speaker Telcser: "Indicates that he will."

Brummet: "Representative Jones, under the existing law, I found out the hard way that the people who live in non- . . . not-for-profit institutions or nursing homes were not allowed this deduction. Would this Bill apply to those who live in not-for-profit nursing homes or those that are tax supported or owned by churches and institutions?"

Jones, J.: "Ah . . . In answer to your question, I want to also . . . want to indicate here that the other two Members of the Subcommittee are Representative Skinner and Representative Lundy, and . . . ah . . . due the credit for putting this thing together. Ah . . . In the . . . ah . . . House Bill on . . . on page 2, . . . ah . . . the Amendment that residents also includes the portion of a nursing or a standard home . . . care home occupied as a dwelling by a claimant determined as described on regulations of the department, and that . . . ah . . . we . . . we think that would cover it."

Brummet: "Thank . . . thank you."



Speaker Telcser: "The Gentleman from Cook, Representative Juckett."

Juckett: "Thank you, Mr. Speaker; will the Sponsor yield to a couple of questions?"

Speaker Telcser: "Indicates that he will."

Juckett: "On the question as far as the nursing or sheltered care homes, isn't it a fact that they are presently covered?"

Jones, J.: "They . . . they are, but the question is whether . . . presently the ruling by the Department of Revenue is that only those nursing homes that pay taxes, property taxes, and so a church-operated nursing home was . . . been excluded, and we . . . we think that should be corrected by this Amendment."

Juckett: "Well, now if the church unit did not pay taxes, what would be the purpose of giving a refund for payment of taxes?"

Jones, J.: "No, the . . . that portion of the . . . say they're paying \$600 a month for that nursing home, whether it's privately or publicly operated, and say 30% of that is for the care their . . . that that's their rent, and if they were renting in a . . . any place else, they would . . . come under the coverage of the Act."

Juckett: "Even this Bill for the reimbursement of the individual for payment of taxes . . . in which no taxes are paid, how can you justify a reimbursement?"

Jones, J.: ". . . no, this is tax . . . the circuit breaker covers claims for those who pay taxes or pay rent, one fourth of their . . ."

Juckett: "Yes, but 25% of rent paid is deemed to be the landlord's portion of the tax bill which the landlord pays; but if the landlord in this case, say a not-for-profit organization that is exempt from payment of taxes, pays no taxes, how can you justify paying money out?"

Jones, J.: "Because the . . . the . . . ah . . . person in the . . . ah . . . sheltered-care home or nursing home is paying that amount . . . ah . . . for that rent no matter where it is."

Juckett: "But there's no taxes being paid. This is property tax relief grant, and the Sponsor or the organizer of that facility is not paying any taxes; and so there's no reimbursement. I don't understand how you can justify that. Now, you have . . . you are excluding,



as I understand it, from this new Bill the social security income for those who are on public aid, do you exclude the social security income for those who are not on public aid?"

Jones, J.: "No, Sir. The reason for this is that . . ."

Juckett: "I'd like to hear the reason, I can't understand why you would do it."

Jones, J.: ". . .right . . . the public aid recipient do . . . are not now covered by this Act. So this was . . . ah . . . to cover it now on supplemental social security that's . . . one interpretation might be that they would not . . . ah . . . they would not be covered so this is to eliminate that."

Juckett: "Yeah, but now isn't it a fact that people have paid in who are not on public aid . . . isn't it a fact that they have paid in a portion for that social security, and now when they're getting some of their payments back, you're excluding them?"

Jones, J.: "No, no, this is so they won't be excluded."

Juckett: "Now, okay, let's take an individual of 65 years of age or older, receiving social security income, isn't that income counted as part of the income base, and in many cases it puts them over the \$10,000, and that makes them ineligible? But you're now saying to us that somebody on public aid . . . now, you're indicating on public aid . . . in case of public aid recipients who are getting the supplemental . . . ah . . . payments that would not exclude them, is that correct?"

Jones, J.: "Ah . . . Representative Lundy can respond to that, he's . . . he's the drafter of the Bill. I yield to Representative Lundy."

Speaker Telcser: "The Gentleman from Cook, Representative Lundy, wish to explain . . . ah . . ."

Lundy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I would like to respond if I may to the . . . ah . . . comments and questions of . . . ah . . . the Gentleman from Cook. Ah . . . As to his first question, the exclusion of . . . ah . . . supplemental security income. Ah . . . The Bill does not exclude from the computation of income amounts of S.S.I. benefits recieved. What it



does do is say that the exclusion of for . . . ah . . . of a potential beneficiary for any month in which that beneficiary receives public assistance . . . ah . . . does not apply as to S.S.I. grants. In other words, it's . . . it simply clarifies that S.S.I. payments are not considered public assistance for the purpose of totally excluding the recipient from circuit-breaker benefits for any month in which those S.S.I. benefits were received; but the payment would be counted as income just as social security benefits are."

Juckett: "Okay, . . . ah . . . did you have an answer to the first question as to . . . ah . . . giving a refund check for the reimbursement of tax monies paid, when, in fact, no tax monies have been paid."

Lundy: "Yes, the . . . ah . . . the Subcommittee's thinking on that was this . . . ah . . . the . . . the theory behind the department ruling, and that's all it was was a ruling because the statute was not clear on this point, the . . . ah . . . the theory behind the department's ruling that residents in not-for-profit nursing homes or sheltered-care homes would not benefit from the circuit-breaker Act was that since those not-for-profit homes do not pay real estate property taxes, they would charge lower fees. We found in the course of our hearings that that simply is not true, that those not-for-profit homes for whatever reasons are charging fees very often on a level with a proprietary for profit operations; and we felt that since that was the case, it was not fair to ask the residents in those not-for-profit homes to . . . to . . . ah . . . forego the benefits of the circuit breaker that they would otherwise get."

Juckett: "Did you check into the level of services which those homes were supplying in relation to the services that's applied by other homes? Otherwise, you would not have any kind of a comparison and your previous statement really wouldn't hold much water."

Lundy: "No, we didn't check into the level of services. We didn't go into it in that much detail, . . . ah . . . but we certainly . . . as you certainly know, these . . . all of these homes are licensed



and . . . and pro . . . and provide minimum services as required by the . . . ah . . . Illinois Department of Public Health, and . . . ah . . . I . . . I very much doubt that the not-for-profit homes were . . . were providing more elaborate services than the proprietary homes."

Juckett: "That's quite an assumption to make and . . . ah . . . having investigated many of the homes that are licensed, I would say that the services vary from A to Z and one as . . . ah . . . high as you want to count. Ah . . . Representative Jones, one further question as far as this requirement that the Department of Aging publicized the Act. What do you have in mind by such publicizing?"

Speaker Telcser: "Representative Jones, do you wish to answer the Gentleman's question?"

Jones, J.: "Does the . . . would you repeat the question please?"

Juckett: "There's a . . . there's a provision in here that requires the Director of Revenue to promulgate regulations implementing the Act and the Department of Aging to publicize the Act. Now, . . . ah . . . how do you intend to have them publicize the Act? Now, my particular legislative office in the past year or so has handled many thousands of applications, and I'm just wondering how many more or how much more publicity you need for it."

Jones, J.: "Well, the . . . when only about 45% of those who were very eligible, actually file claims that there were countless people who were entitled to the assistance and didn't apply. So the Department on Aging, and this has been discussed with them, and they've agreed to take this responsibility as one of their objectives in their new . . . they've a new agency. They'll be sure that all the senior citizens in the state that might be eligible are aware of it and know how to apply."

Juckett: "Well, now, do they intend to go into the Department of Revenue and . . . ah . . . checking all the income tax returns of people that are 65 or older or handicapped and feel whether their income level falls . . . ah . . . under the \$10,000 and then maybe write them a letter indicating that they may be eligible and please fill out the form, and if you are, we'll see that you get a check?"



Jones, J.: "Well, the charge to them is outlined in . . . ah . . . on page 6 and the outline is items 1, 2 . . . 1, 2, 3 and 4. In the Bill as to what we . . . what we thought they might do to spread the word."

Juckett: "In other words, those are the four items in which they would be able to do it and none others?"

Jones, J.: "Well, there's no other mandate within this Bill other than what . . . what's provided there."

Juckett: "Well, is the method for publicizing it the four items which you indicated?"

Jones, J.: "Well, it says, like Item 4, it says, 'the use of direct mail, newspaper advertisements, and radio and television advertisements and all other appropriate means of communication conduct in all in-going public relations programs to increase awareness of eligible citizens and the grants under this Act and the procedures applying for them'."

Juckett: "Thank you very much."

Speaker Telcser: "The Gentleman from Bureau, Representative Barry. Representative Barry."

Barry: "Ah . . . Mr. Jones, . . . ah . . . does your Bill in fact replace the need for House Bills 2577 and 2464?"

Jones, J.: "25 what?"

Barry: "Those are other mobile home Bills that were filed earlier."

Jones, J.: "No, no, this doesn't change the Mobile Home Act."

Barry: "Well, it does according to the . . . ah . . . according to the Digest."

Jones, J.: "Well, it permits them to have their coverage to be covered by this be . . . as it now, only those who pay . . . only applies to property taxes, and the mobile home is listed as a privilege tax. So we're changing that so it will be a qualifying tax payment."

Barry: "Then the Bill in question, that is, House Bill 2790, this does not include changing the . . . ah . . . purpose of disability to include those people in mobile homes or . . ."

Jones, J.: "No, no, . . . there are many things that need to be done the . . ."



Barry: "Fine, thank you . . ."

Jones, J.: ". . . Bill, but are not in this Act."

Barry: ". . . thank you."

Speaker Telcser: "The Gentleman from Rock Island, Representative Polk."

Polk: "Will the Sponsor yield to a question?"

Speaker Telcser: "He indicates that he will."

Polk: "Mr. Jones, Mr. Jones . . ."

Jones, J.: "Mr. Speaker . . ."

Polk: "Mr. Jones . . ."

Jones, J.: "Pardon me."

Speaker Telcser: "All right, Representative Jones, for what purpose do arise?"

Jones, J.: "Ah . . . Leave of the House with agreement of the Sponsors here that we take the Bill out of . . . out of the Record until tomorrow and so we can . . . ah . . . clarify all these points and all those that have questions, we'll take it up with them."

Speaker Telcser: "Okay, we'll take . . . these two Bills out of the Record. Okay, Representative Skinner, do you want your Bill called? Is he here? No? Okay. 2798, Representative Shea. Jerry, do you want that called now? House Bill 2798."

Clerk O'Brien: "House Bill 2798, a Bill for an Act to authorize the transfers of certain state land to the Chicago Park District for use as a public park. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Mr. Speaker, at the time I called these two Bills last week, I made a commitment that I'd take them back to Second Reading for the purposes of an Amendment . . . ah . . . and at this time, with leave of the House, I'd like to take 2798 back to the order of Second Reading for the purposes of an Amendment."

Speaker Telcser: "Are there any objections? Hearing none, we'll return House Bill 2798 to the order of Second Reading. Will the Clerk please read the Amendment?"

Clerk O'Brien: "Amendment #1 amends House Bill 27 . . ."

Speaker Telcser: "The Gentleman from Madison, Representative Walters."

Walters: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2798 is



a transfer of property. The Bill itself transfers property to the Chicago Park District. Our Amendment will also transfer land not being used presently to the City of Alton, Wood River Township and Bethalto School District. The Amendment was brought to . . . to mind by Repre . . . by Lieutenant Governor, Neil Hardigan, on a recent visit to the City of Alton. We had some property out there the city has been trying to buy since 1970. We presently have the necessary funds to help us develop the park, but we do not have the funds to purchase the property. By this Amendment, Alton will be able to develop the property in the very near future and will help us to proceed with our recreation. One of the problems we had is the Federal highway coming throughout River Front Park in Alton, which has enabled to lose our ball diamonds and other necessary recreational facilities needed by the community. I would appreciate a favorable Roll Call on this Amendment."

Speaker Telcser: "Any discussion? The Gentleman has offered . . . the Gentleman from DuPage, Representative Schneider."

Schneider: "Will the . . . ah . . . Sponsor yield . . ."

Speaker Telcser: "He indicates that he will."

Schneider: "Bob, what is the . . . ah . . . is there money involved in that transfer from the Department of Con . . . Conservation?"

Walters: "No, there is no money."

Schneider: "No money at all?"

Walters: "I just transferred it for purposes for us to use in the City of Alton."

Schneider: "And it's used presently as what?"

Walters: "For general purposes. The last page of the Amendment, Glenn."

Schneider: "I don't have . . . I'm . . ."

Walters: "The Amendment was distributed earlier."

Schneider: "Yeah, it is."

Walters: "'Bethalto School District, Wood River Township, the City of Alton, shall agree that the purpose of the land respectively conveyed to them shall at all times be used for public purposes.'"

Schneider: "Okay, how much . . . how much money does . . . how many acres?"



Walters: "695 acres total not now being used by the . . . the reason . . . ah . . . the reason is that the Alton State Hospital which used to have some 2,000 patients is now down to 400 patients and the land is just laying there idle."

Schneider: "Thank you."

Speaker Telcser: "Is there further discussion? The Gentleman from Cook, Representative Shea."

Shea: "Yeah, I . . . I wonder if the Sponsor of the Amendment would yield?"

Speaker Telcser: "Indicates that he will."

Shea: "Could you explain in Section 5 . . . ah . . . all the legals on those parcels?"

Walters: "Yes, Jerry, that's a very simple . . . this Bill was . . . ah . . . originally passed some seven, six years ago, and they were all defined at that time by our surveying engineers and approved by the State of Illinois."

Shea: "Well, does . . . does Representative Hirschfeld want to explain the degrees in that?"

Walters: "Representative Hirschfeld wouldn't know it if I explained it to him, Representative Shea."

Shea: "All right."

Speaker Telcser: "The Gentleman has offered to move the adoption of Amendment #1 to House Bill 2798. All in favor 'aye', opposed 'no'; the Amendment's adopted. Further Amendments? Third Reading. The Bill has been read a third time. Representative Shea."

Shea: "Mr. Speaker, with leave of the House, I'd like to hear . . . ah . . . 2798 and 2799 together."

Speaker Telcser: "Are there any objections? Hearing none, will the Clerk please read House Bill 2799?"

Clerk O'Brien: "House Bill 2799, Shea, a Bill for an Act to make appropriations to the Department of Conservation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Shea."

Shea: "Now, with leave of the House, I'd like to take this Bill back to the order of Thir . . . or Second Reading for the purposes of



an Amendment by Representative McCourt."

Speaker Telcser: "Are there any objections? Are there objections?"

Hearing none, House Bill 2799 is returned to the order of Second Reading. Will the Clerk please read the Amendment?"

Clerk O'Brien: "Amendment #1, amends House Bill 2799 . . ."

Speaker Telcser: "The Gentleman from Cook, Representative McCourt."

McCourt: "Mr. Speaker, the purpose of this Amendment is just to add some clarity to the appropriation ordinance so as when this property is returned to Chicago by the state, there'll be enough money to put this park in usable shape for this summer; and I recommend the adoption of this Amendment."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment #1 to House Bill 2799. All in favor 'aye', the opposed 'no'; the Amendment's adopted. Further Amendments? Third Reading. Representative Shea, both Bills have been read a third time."

Shea: "Is 2799 now back on the order of Third Reading? Mr. Speaker, Ladies and Gentlemen of the House, House Bills 2798 and 2799 provide in Section 1 of --98 the . . . ah . . . taking what is now known as Warren Park State Park and transferring that to the Chicago Park District, and I know of no opposition to that part of the Bill. The second portion is what Representative Walters just explained and 2799 is an appropriation of \$25,000 to clean up Warren Park so that it can be used this year by the people of the City of Chicago and the people in Evanston, et cetera. I'd appreciate the support of the House."

Speaker Telcser: "The Gentleman from Cook, Representative Duff."

Duff: "Will the Sponsor yield to a question?"

Speaker Telcser: "He indicates that he will."

Duff: "Ah . . . Representative Shea, I'm aware of the fact that you're on the Committee on Assignment of Bills and the Chairman wasn't here so I couldn't ask this question . . . ah . . . as far as I can tell, this Bill never was referred to the Committee on Agriculture and Natural Resources, is that correct?"

Shea: "I think both Bills went to the Appropriation Committee."



Duff: "Well, was there any special reason that this Bill didn't go through the Committee on Agriculture and Natural Resources?"

Shea: "No special reason, it was part of an appropriation."

Duff: "Well, we've been hearing Bills in that Committee now for the last three weeks that have appropriations connected within them and they all deal with the transfer of park lands and things like that. There's no . . . you don't believe it should've? Well, I'd like to ask some questions about the situation there and if you would . . ."

Shea: "Well, I . . ."

Duff: ". . . give us a recounting of the history of the transfer of that land to the state in the first place?"

Shea: "Well, I'd like to make one statement, that Bill was assigned by Representatives Miller and Klosak, and I not . . . did not take any part . . . participation of the assignment of the . . . if that's what you're talking about Representative Duff."

Duff: "No, I'm just asking because I couldn't find Representative Klosak to ask the question of it and I know you're on the Committee. Ah . . . Would you recount for us, Representative Shea, the history behind the allocation of this land to the state in the first place?"

Shea: "I believe this . . . this was the old Edgewater Golf Course; it was purchased by some private individuals, that there was an appropriation, I believe, in the 70 . . . 1971 under the Seventy-seventh General Assembly to the Department of Conservation for it purchase. I believe that under a former administration there was a condemnation suit filed, and then I believe by an agreed purchase price, the State of Illinois purchased . . . purchased the land from the then owners."

Duff: "Well, there was some pretty heavy litigation involved in this land, was there not, Representative Shea?"

Shea: "I'm sorry, Mr. Duff, I didn't hear your question."

Duff: "I said there was some pretty heavy litigation involved in . . . ah . . . in the transfer of this land and the use of it . . . ah . . . in the area, isn't that correct?"

Shea: "You mean at the present is there any litigation involving this parcel of property?"

Duff: "No, I'm saying over the last four or five years, there's been quite a bit of litigation involving it, hasn't there?"

Shea: "This parcel of property?"

Duff: "The Edgewater Golf Course."

Shea: "Now, are you talking about this parcel of property or the entire parcel that was commonly known as Edgewater Golf Course?"

Duff: "Well, I . . . I think you know what I'm referring to, but . . ."

Shea: "No, I want it spelled out pretty specifically, Mr. Duff, because

I'm talking about a piece of property that's now owned by the State of Illinois being transferred to the Chicago Park District.

If you're referring to the rest of the piece of parcel owned by

Ken Roy Development Company, that's subject to a condemnation

suit presently pending in the Circuit Court of Cook County and

also subject to a contract of purchase between the Public Building's Commission of Cook County and Ken Roy Development."

Duff: "Right, and this land was separated out . . . ah . . . shortly after some of the zoning opposition took place in that area, was it not?"

Shea: "Well, I thought I explained it, but perhaps I missed something, Mr. Duff. Did you ask a question?"

Duff: "Yes, I said I realize what you're saying subsequent to the acquisition to the land about the Seventy-seventh General Assembly in 1971, but that act itself was partially in resolution of the problem in the community, is that not correct?"

Shea: "Mr. Duff, it was my understanding, and I was a Member of that General Assembly, that there was . . . it was desirous to have a state park within the City of Chicago. Pursuant to that desire the Department of Conservation under a prior administration, this General Assembly appropriated to the Department of Conservation sufficient sums to buy that property. It has now been determined by this administration and subsequent events, and you're in the district just north of that, that this particular piece of property is not being maintained in conformance with what I . . . ah . . . am

led to believe proper park standards. In fact, I will tell you the people in the area are up in arms over the way that this park is being maintained, and the high crime rate within it at the present time. Now, in order to alleviate that situation there have been discussions between the Chicago Park District in the State of Illinois. I received a communication from Mr. Dean, head of the Department of Conservation, that they were in favor of transferrring this parcel to the Chicago Park District. The Chicago Park District is desirous of accepting this parcel. Now, I don't know of any litigation with regards to this parcel. I do know that the rest of the parcel is subject to some litigation at this time. Now, there might be other court suits pending with regards to this parcel, and if you'd care to delineate with a little more specificity what you're talking about, I'd be happy to try to answer it."

Duff: "All right, well, in that first particular, Representative Shea, I'm referring to the . . . ah . . . zoning complaints that took place prior to the transfer of this land to the state. Now, I'd like to ask you, if you can recall what the state paid for the land?"

Shea: "I think it was a figure in excess of \$6,000,000."

Duff: "Oh, it was considerably higher than that, wasn't it?"

Shea: "Well, Mr. Duff, I . . . I think it may have been as high as \$9, but if you've got an exact figure, I'd be happy to hear it."

Duff: "Now, I'd like to ask why, since you supported that . . . ah . . . effort in the Seventy-seventh General Assembly, which I was also a Member, why is this situation any different now than it was then?"

Shea: "Mr. Duff, all I can tell you is that the State of Illinois because of some reason has not maintained this property in conformance to high standards of park property."

Duff: "Ah . . . Well, two more questions that . . ."

Shea: "Well, no, let me finish, will you please? It is my understanding there's an agreement between the Department of Conservation in the State of Illinois and the Chicago Park District with regards



to the transfer of this property. It is my understanding that it was agreed between these two public bodies, and until you stood up in the floor of this House, now I knew of no oppositions to this Bill."

Duff: "Well, I might indicate to you, Representative Shea, that it seemed unusual to me that this is the only park Bill that we've seen this year that hasn't gone through the Environment, not the Resources Committee, and that would normally seeks ones curiosity . . . ah . . . the question I would of you, what does the city intend to reimburse the state in any way for this land?"

Shea: "I don't know what the city has got to do with it. It's going to the Chicago Park District."

Duff: "Does the Park District intend to reimburse the state in any way for this land?"

Shea: "It's my understanding that it's an outright grant from the State of Illinois to the Chicago Park District."

Duff: "Ah . . . Would you care to tell us why the administration of the . . . ah . . . of the park has not been kept up in any way at all. I understand the fences are rotting, I understand the grass is unkept, I understand the whole state park lays smack in the middle of one of the most populous areas of Chicago has not been tended to at all by the State Government. Has anybody in the Park District or the City of Chicago complained to the state to make them keep the land up?"

Shea: "Mr. Duff, would you mind if in order to answer that I might yield to either Representatives Berman, Lundy or McCourt within whose district that property is, and, Mr. Speaker, I would respectfully ask any of those three Members to answer to the Representative's question."

Speaker Telcser: "The Gentleman from Cook, Representative Berman."

Berman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, this parcel that we're discussing, the Edgewater Golf Course, the Warren State Park, is about four blocks from my home. When the state acquired this property, it represented the culmination of about 10 years of community effort to turn a potentially, commercial



development into one of the only open large recreational areas that would still be available within the boundaries of the City of Chicago. Under the previous administration we were hopeful that we could develop this park into a very useful urban park. The present administration determined that their limitation fiscally . . . ah . . . would not allow them and their policy determination as far as the operation of state parks was not in keeping with the high utilization of an urban park. Many of us, including the Legislators from this . . . from the district in this park . . . ah . . . is situated, . . . ah . . . have pleaded with the administration to utilize funds that we would hope the Legislature would pass to develop the park, but they felt it not to. Accordingly, we appealed to the Chicago Park District that is actually in a much better position to develop the park to the full . . . full utilization of the people in the area and that's the reason for the purpose of this Bill. A Bill I would add that . . . ah . . . is really very necessary . . . ah . . . for the proper utilization in the carrying out of the purposes for which this Legislature passed the previous . . . ah . . . appropriations and authorizations and . . . ah . . . in keeping with the intent of the previous administration as far as a . . . ah . . . high density, high utilization, open space parcel within the boundaries of the City of Chicago."

Speaker Telcser: "All right, now, Representative Duff, you've just about used up all of your time, Sir, will you . . ."

Duff: "Well, Mr. Speaker, if not any more questions, I'd like to address the Bill."

Speaker Telcser: ". . . well, proceed for a moment."

Duff: "I concur with what Representative Berman said. I know Representative McCourt and Lundy, myself and others in that area are interested indeed in open land; but I'd like to recount to this House of some facts relative to this piece of legislation. There was great contention within that area not too many years ago as to whether or not that Edgewater Beach Golf Course would be kept for open space it would be used commercially. There was a very strong effort on



the part of the citizenry to pre . . . prevent that from occurring, there was a great deal of effort in and out of the court and before public officials could try to get it to change. The previous administration proposed a Bill which was in a sense a compromise taking a large piece of the land at the cost of state funds because the City of Chicago either refused or was unable to do it. The remainder of the land was put into this commercial development, which many people in this House know has been part of a very serious 're-question' commercial development related to charges involved in even public officials as to whether the whole thing was done with propriety. I don't speak to whether it was or it wasn't, but I don't think it's appropriate that this Bill at this time not be put before the proper Committee . . ."

Speaker Telcser: "Wait a minute . . . Representative Shea, for what purpose do you arise, Sir?"

Shea: "To just make a point, Sir, and remind Mr. Duff that the City of Chicago has refused to grant any permits for any building on that land, and he'd better get his facts straight if he's going to start castigating public officials."

Duff: ". . . I think what Representative Shea is just exactly correct, the City of Chicago did not allow permits for that particular piece of parcel and that's true and the facts that I've stated are also true. The fact remains is that three years ago, the State of Illinois was asked to put out a large amount of money for this piece of property because the City of Chicago either could not or would not do it. The land has not been kept up by the State Department of Conservation. It's in terrible disrepair, and now the City of Chicago wants us to give it to them free without any guarantee that they won't do to it what has been done to the rest of it in the future, cut it up into little parcels of land and sell it to commercial developers so that more less green space can be held. The State of Illinois put a purchase out on this at the request of the people of the City of Chicago three years ago, and it's my . . . it's very strange to me that this Bill was not referred to the proper Committee. It also seems to



me that if they're going to take it in the Park District, they should reimburse the state for it."

Speaker Telcser: "The Gentleman from Cook, Representative Mann."

Mann: "Well, Mr. Speaker and Members of the House, I must say that I share the Gentleman from Evan . . . Evanston's concern and I wonder if the Speaker, Representative Shea, would mind holding this . . . this matter because there is a history regarding this particular . . . ah . . . piece of land, and . . . ah . . . it is mighty, mighty strange to me that the state should pay \$6,000,000 and then give it back to the city, and insofar as safeguards that the Park District will maintain it better than the state, I would advise everybody in this House to come into my district and I'll show you Park District lands and open space that are not maintained. So I'm not persuaded by the bare assertion that . . . ah . . . the state is not maintaining that land and if you give it to the city, the city or the Park District will maintain it. This is a very, very controversial piece of lake-front land . . . ah . . . and I think that . . . ah . . . it would behoove the Bill's chances . . . ah . . . Representative Shea, if you'd take it out of the Record so that some of us could try to straighten this out; otherwise I'm going to have to oppose it."

Speaker Telcser: "All right, the Gentleman from Will, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker; will the Sponsor yield for a question?"

Speaker Telcser: "He indicates that he will."

Kempiners: "Jerry, the . . . some of the discussion lately centers upon something that's on line 24 of page 1 of this Bill, and I think if you could answer the question, it might allay some of our fears. Ah . . . The Bill reads that 'the authority is granted to the Department to transfer in three simple to the Chicago Park District for use as a public park, all of the right title', et cetera, et cetera. Does that phrase, 'for use as a public park' guarantee that the Park District much use it for . . . as a public facility and it cannot unless we, in the Legislature, change this particular



law as it is enacted . . . ah . . . into a . . . ah . . . commercial development?"

Shea: "Well, all I can tell you is if I understand the statute setting up the Chicago Park District there is no way once the Park District acquires that land that it can be made into a commercial development; and I'll tell you what, just to make sure, I would certainly have this Bill amended over in the Senate to say that it . . . that if it's ever used for anything other than park pla . . . Park District land, that it would revert to the state."

Kempiners: "Thank you."

Speaker Telcser: "Is there further discussion? The Gentleman . . . ah . . . from Cook, Representative Lundy."

Lundy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, as one of the Representatives who represent the district in which this parcel of land is located, and as a Cosponsor of this Bill, I would ask my friends in the House to give us an 'aye' vote for it. The . . . ah . . . the legislative language it seems to me is very clear. The state is authorized to convey this land to the Chicago Park District, not to the city, but to the Park District as Representative Kempiners pointed out for use as a public park. Now, it is certainly my intention as a Cosponsor that that would mean that whatever conveyance agreement was worked out between the state and the Park Districts would guarantee that that land would be used in perpetuity for park purposes and not for any other purpose. I think the Sponsor of the Bill has graciously indicated that he would agree to have the . . . the Bill even further amended in the Senate to indicate that if the land were used for other than park purposes, he would immediately revert to the State of Illinois. Ah . . . Let me ask you what some of my colleagues from the 11th District has said about the present condition of this land, 'The State of Illinois acquired this land under the Ogilvie administration. Since the new administration took office, it has refused, despite the urgent pleas of the Representatives from the district, to maintain this land in a form that it could be used by the residents of the district..



There is a former clubhouse on this property, which is now a disgrace to the neighborhood. It's . . . it's a wreck. It's falling down. There's a swimming pool which is a . . . which is empty, which is a danger to the children to the neighborhood. This land has got to be maintained and the way . . . the only way it's going to happen is by this land being transferred to the Chicago Park District. The State of Illinois has proven in the two . . . in the three years of this administration that it's simply not willing to put out the money to maintain this facility as a . . . a park that can be used by the residents of the area. I have received, as have my colleagues from this district, literally hundreds of letters from people who live around this area. They are scared, they're scared for their children, they're scared that the . . . that the facility may . . . ah . . . may simply go to waste because it is not being maintained in such a way that it can be used as a park. As one of the Representatives from this district, I urge you and plead with you to give us an affirmative vote. Let us get this land into the hands of somebody who cares about it and not if they're willing to take of it."

Speaker Telcser: "The question is, shall House Bill 27 . . . the Gentleman . . . shall House Bill 2798 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. Representative Mann, for what purpose do you arise, Sir?"

Mann: "Well, Mr. Speaker, I never got an answer . . . ah . . . from the Sponsor as to whether or not he would hold this Bill."

Speaker Telcser: "The Gentleman has stated he didn't want to."

Mann: "Now . . . ah . . . I think . . . ah . . . it's an important piece of legislation, and I don't know why he would . . . ah . . . why he would resist holding the Bill. Ah . . . I'm going to ask him directly, Jerry, will you take this out of the Record and hold the Bill?"

Shea: "Ah . . . Mr. Speaker, and Gentlemen . . . Ladies and Gentlemen of the House, there is presently a contract between the Chicago Park District to purchase or condemn the rest of the property.



I've been asked to move this legislation along because that contract started to have an interest penalty clause on it as of May 21st. Now, Bob, I will assure you I'll work with you every way I can to make sure you know exactly what's going on and you'll be satisfied, I'm sure, what . . . what's going on with it, and I'll get any explanation you want, I'll have Pat O'Malley come down here and talk to you; but it's been asked of me to move this legislation on and save some tax dollars with regards to some interests in penalty clauses in a contract that's presently pending, and I'd like to move it."

Mann: "Well, Mr. Speaker, I've asked the Gentleman if he would hold the Bill. There've been a number of occasions in which the Gentleman has asked other Members of this House to hold Bills so we could run down . . . ah . . . any problems that might exist. Of course, he's got an office that I don't have. So I'm just for the Record going to have to vote 'no' because I don't see why the Park District would enter into any kind of a contract without the authority of owning the land; and secondly, if the state will not maintain the property, maybe this House ought to express itself to the State Department of Conservation and ask it to maintain the property. I think in view the history of this particular parcel, I think that we ought to get all the facts before us; and, therefore, if he won't take it out of the Record, Mr. Shea, I'm going to vote 'no' at the present time. I still would like to consult with you if you will do so; but I think it's a mistake, a bad mistake to rush through legislation like this, a very, very bad mistake. I vote 'no'."

Speaker Telcser: "Have all voted who wished? Take the Record. On this question there are 106 . . . take two Records, Mr. Clerk . . . on these questions there are 114 'ayes', 11 'nays', 12 answering 'present'; and these two Bills having received the constitutional majority are, hereby, declared passed. Now, we're going to go back and pick up two Bills on House Bills, Third Reading. House Bill 2132. The Sponsors wish to amend these Bills and then let them stand on Third, I understand. Can't you read the Bill? Can't you



read 2132, Jack?"

Clerk O'Brien: "House Bill 2132, a Bill for an Act to amend Section 4.01 of the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Telcser: "All right, the Gentleman from Lake, Representative Deuster."

Deuster: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I would request leave of the House to return House Bill 2132 to the order of Second Reading for the purpose of considering one Amendment."

Speaker Telcser: "Are there any . . . is there any discussion? The Gentleman has asked leave to . . . ah . . . take House Bill 2132 back to the order of Second. Hearing no objections, House Bill 2132 is on the order of Second Reading. Will the Clerk please read the Amendment?"

Clerk O'Brien: "Amendment 1, Deuster, amends House Bill 2132 on page 1 . . ."

Speaker Telcser: "The Gentleman from Lake, Representative Deuster."

Deuster: "Ah . . . Mr. Speaker, this is an Amendment that I have discussed with as many Members as I can. I would like to put this Bill in the shape . . . ah . . . provided for in Amendment #1. Actually, Amendment #1 just strikes the Bill and provides one question to the House that the House will confront on Third Reading and that is simply to allow the R.T.A. Board to establish an executive committee . . . ah . . . and to enlarge the size of the board. The gist of the Amendment is on page 5. I'll be happy to answer any questions. It's modeled a little bit after what they did in Denver. It would provide that the R.T.A. Board could establish a smaller executive committee, five or seven, if or something if they want to and . . . ah . . . I would . . . ah . . . like to put this Amendment on the Bill so in Third Reading it's in this shape."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment #1 to House Bill 2132. All in favor 'aye', opposed . . . Amendment # . . . 'aye', oppose 'no'; the



Amendment's adopted. Are there further Amendments? Third Reading. Okay. House Bill 2653. The Bill has been read a third time already. The Gentleman asked leave to . . . ah . . . the Bill is on Second Reading now, I believe, right? It's on Second Reading, the Gentleman has offered Amendment #1. House Bill 2653. The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, as you will recall earlier in the day I asked for and did receive leave to bring House Bill 2653 back to the order of Second Reading for an Amendment, and then I offered and moved for the adoption of Amendment #1. At that time, the issue arose as to whether or not the fiscal note law was applicable. Ah . . . To resolve the matter, in the meantime, I have gone to the Comptroller's office and tomorrow will receive a memorandum from the Comptroller's office with respect to the fiscal note situation. So at this time, Mr. Speaker, I would renew my motion for the adoption of Amendment #1 to House Bill 2653."

Speaker Telcser: "Is there any discussion? The Gentleman has offered to move the adoption of Amendment 1 to House . . . whoops . . . whoops . . . oh, the Gentleman from Peoria, Representative Day."

Day: "Would the Sponsor yield for a question?"

Schlickman: "Yes, Sir."

Day: "Representative Schlickman, I note that your Bill in its original form amended the original Bill by striking out the language dealing with the state's pledge to the bondholders. Now, in Amendment #1, you have stricken that and have reinstated some of that language, and it appears to me that the language which is in your Amendment #1 relative . . . ah . . . to the state pledge to the bondholders is . . . ah . . . substantially the same . . . ah . . . language that was in the Amendment offered by Representative Dunn last week to Representative Katz's Bill, is that correct?"

Schlickman: "I am not familiar with the contents of Representative Dunn's Amendment."

Day: "Well, isn't it true that as a result of Amendment #1, the State of Illinois is making substantially the same pledge to the bondholders



that was made in the original Bill?"

Schlickman: "What we are doing by Amendment #1 in part is to provide that there is a general pledge by the state to not impair the bondholders interest, and I believe, Representative, that this is a matter of contract law and I need only refer to the . . . ah . . . Dartmouth case of the United States Supreme Court. What is being removed . . . what would be removed from the existing R.T.A. law is the specific . . . specific pledge that the General Assembly not alter or change the powers and duties of the board and not alter or change the basis by which the state funds the R.T.A. so as not to impair the contract or the bondholders interests under those contracts. As I indicated previously, we are going from a specific to the general, and it seems to me, Representative, by so doing . . . ah . . . we are taking a moderate course in a very . . . ah . . . what has been a controversial issue, and in so doing are, number one, maintaining the ability of the R.T.A. Board to issue G.O. bonds and to issue them competitively; number two, we are removing the shackles on the General Assembly to subsequently engage in corrective Amendments as experience dictates."

Day: "Mr. Speaker, I'd like to speak to the Amendment."

Speaker Telcser: "Proceed, Sir."

Day: "Mr. Speaker, and Ladies and Gentlemen of the House, if you will look at this Amendment on the bottom of page 8, and at the top of page 9, you will find again, and I hate to keep repeating it, but the language indicates that the state makes a pledge to the bondholders. These are the holders of bonds that will be issued by an appointive board over which the state has no control. The state makes a pledge there, perhaps not in as specific terms, as is in the original Bill, but certainly in very general terms, and terms which clearly indicate that the state could not in the future at any time do anything in the way of changing the sales tax law which would impair the rights and remedies of the bondholders. Furthermore, the last paragraph of that Section of the Amendment again specifically this Legislature specifically authorizes



the appointive board of the R.T.A. to print that pledge on the face of the bond. Now, if this were a question of in some way tampering the ability of the R.T.A. Board to pledge the money that it raises itself, I would have no objection to it; but I think that there is only one interpretation that can be made from this language which is in this Amendment and that is that the state is agreeing with those bondholders that it will not at any time . . . ah . . . alter the fiscal basis . . . ah . . . set forth in the Bill for the financing of the R.T.A. It's practically the same Amendment which this House defeated last week, which Representative Dunn had offered to the Katz Bill. You know, there's an old saying, I believe, it was first uttered by Abraham Lincoln, and that was, 'That you can do a right thing wrong, but you can't do a wrong thing right', and it seems to me that that's exactly what they're attempting to do with this Amendment is to in a little bit different terms, reinstate that same old pledge that was in the original R.T.A. Bill . . . ah . . . and I think it's very poor policy. I think that it raises serious constitutional questions so far as the Bill itself is concerned; and I would urge you to vote 'no' on this Amendment."

Speaker Telcser: "The Gentleman from Sangamon, Representative Gibbs."

Gibbs: "Will the Sponsor yield to a question?"

Speaker Telcser: "Indicates that he will."

Gibbs: "It's my understanding that the . . . Representative Day's objection has been met by bond council for the bonds that are being issued and they have determined that this impairment does not exist, is that right or how do you answer Representative Day's objection?"

Schlickman: "Well, I'm not quite sure how the Representative from Peoria's objection can be met. He would like to see Subsection E deleted in its entirety, and he . . ."

Gibbs: "Oh, no, . . . his objection is . . . we . . . ah . . . I think what his objection is that the fact that we have this imprinted right on the face of the bond that says that we could not, for instance, remove the sales tax, we could not remove the sales tax on



food, or drugs, or clothing, et cetera . . . well, we couldn't even for that matter abolish the sales tax completely and . . . and get the additional revenue from income tax. It's my understanding that the Bond Council has indicated that we could do this, now is that right?"

Schlickman: "Well, . . . I don't agree with the opinion of the Gentleman from Peoria that this pledge prevents the General Assembly from amending the sales tax to provide for exemption."

Gibbs: "Okay, then my question is . . ."

Schlickman: "I didn't agree with him on that."

Gibbs: ". . . do we have an opinion of Bond Council on that supporting your position to the effect that this could be done?"

Schlickman: "I don't know from my own personal knowledge as to whether or not the attorneys who participated in the drafting of what is now the R.T.A. law have given an opinion . . . ah . . . as to that point."

Gibbs: "With that in mind then wouldn't you say that Representative Day's objections are well founded and if we don't have any proof to the point . . . or the Bond Council's opinion to the effect that it would not impair this . . . ah . . . right to remove the sales tax. Shouldn't this be determined first?"

Schlickman: "The attorneys for . . . the attorneys who advised the drafters of the R.T.A. law and who participated in drafting it have stated repeatedly that in order for this authority to issue bonds and to issue bonds competitively there must be some kind of pledge from the General Assembly with respect to the integrity of the contract and the bondholders interest under the contract. I agree with that. What I find offensive about the existing R.T.A. law, is not that there's a general pledge that we in the General Assembly . . . ah . . . will impair . . . do anything to impair the bonds, but I find objectionable that by the existing R.T.A. we specifically say we won't alter or change the powers and duties of the board, we won't alter the basis by which the state funds the R.T.A. I find that objectionable and I so raised that point during the Spring campaign; and by my Amendment, we are



deleting that language from the existing law so that in the future if experience shows that there should be alterations or changes in the authority and duties of the board, the General Assembly will be able to make those changes without first having to bear the burden that what it . . . is about to do won't impair the contract or the bondholders interest under the contract. Now, we're taking that offensive language out, we are retaining . . . leaving in a general pledge and that is basic contract law and is . . . incorporates the principle of the Dartmouth case. Now, I'm told by the attorneys for the . . . that we referred to earlier, participate in the drafting of this . . . of the law that if we strike Subsection E in its entirety, both the specific pledge and the general pledge, we are going to jeopardize the ability of this authority to issue any bonds."

Gibbs: "Well, I . . . I understand that, but what I'm getting at is Representative Day's objection really haven't been met then, have they legally?"

Schlickman: "That they haven't been met?"

Gibbs: "No."

Schlickman: "That his objections haven't been met, I think, is evident by the fact that he speaks against . . . spoke against the Amendment."

Gibbs: "I see, but we don't have Bond Council, say, I think it was Lincoln Eshelman . . . Eshelman Biehl who have stated that this would not impair it, but evidently you're not aware of that?"

Schlickman: "I am not aware of what?"

Gibbs: "The Bond Council's opinion to the effect that this . . . that we could reduce or eliminate the sales tax without impairing the salability of the bond."

Schlickman: "I don't know of anybody who has stated that this general pledge would prohibit the General Assembly from amending the sales tax so as to provide for exemption and then pose that position or argument with Bond Council. I don't think they've tested their own thinking in the matter, and I believe they're inaccurate and they're wrong in their conclusion. I, personally, have never argued



that position."

Gibbs: "Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Fleck."

Fleck: "Mr. Speaker, viewing a free midnight adjournment today, I move the previous question."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor 'aye', oppose 'no'; the previous question has been moved. Representative Schlickman to close."

Schlickman: "Mr. Speaker and Members of the House, as I indicated earlier in the day, this Amendment has eight parts and most of the parts are identical or substantially similar to Amendments previously adopted by this House with respon . . . with respect to the matter of a state pledge covering the general obligation bonds, my attempt here is to on one hand insure that the R.T.A. will have the ability to issue general obligation bonds, and on the other hand to maintain the integrity of the General Assembly and its future ability to engage in corrective or remedial legislation relative to the R.T.A. without having it hand-pried. It's an Amendment which I believe resolves the issue that has arisen and on that basis . . . ah . . . I move for the adoption of this Amendment."

Speaker Telcser: "The Gentleman has offered to move the adoption of Amendment #1 to House Bill 2653. All in favor of the adoption signify by voting 'aye', the opposed by . . . all those in favor signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? The Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker and Members of the House, I'd like to respectfully suggest that right now we are deciding whether or not the existing R.T.A. law is going to be amended. I think I can safely assure all of you that the other Bills with what is commonly been referred to as the Day Amendment will not pass. I have no pride of authorship with regards to this Amendment because quite frankly the language came from the attorneys who resisted . . . ah . . . the orig . . . one of the original drafters of the R.T.A. law. If you can't accept this, then I think we might as well all forget



about any attempts to amend the R.T.A. and that means we're going to be stuck with what we have."

Speaker Telcser: "Have all voted who wished? Take the Record. Skinner and Richard Walsh 'aye'. Skinner's on already. On this question there are 22 'ayes', 68 'nays', 4 answering 'present'; the Gentleman's motion to adopt . . . Representative Schlickman, for what purpose do you arise, Sir?"

Schlickman: "Mr. Speaker and Members of the House, House Bill 2653 in its original form contains a provision which subsequently has earned the label of the Day Amendment. At one time, I thought it was the right approach. Ah . . . Since then, I have concluded that it would be . . . debilitating and that it would seriously injure and cripple . . . ah . . . the R.T.A. with respect to it . . . ah . . . charge responsibility. Ah . . . I in good conscience could not call House Bill 2653 on Third Reading . . . ah . . . with that Amendment . . . with that provision in it; and as a consequence, at this time ask for leave to table House Bill 2653."

Speaker Telcser: "Okay, the Gentleman's motion that's to adopt Amendment #1 to House Bill 2653 failed. The Gentleman now moves to table House Bill 2653. Are there any objections? Hearing none, House Bill 2653 will be tabled. Senate Bills, Third Reading. Senate Bill 678. Senate Bill 678."

Clerk Selcke: "Ah . . . Senate Bill 678, an Act creating a Commission for residential property development and defining its powers and duties. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Kane, Representative Friedland."

Friedland: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I request permission to hear Senate Bill 1149 . . . ah . . . as the companion Bill with this measure, please."

Speaker Telcser: "Are there any objections? Hearing none, will the Clerk please read Senate Bill 1149 a third time."

Clerk Selcke: "Senate Bill 1149, an Act making . . . ah . . . yeah, I'm sorry . . . an Act making appropriation for the Commission for residential property development. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from Kane, Representative Friedland."



Friedland: "Thank you; Mr. Speaker, and Ladies and Gentlemen of the House, in the current recent Sessions of the General Assembly a great number of Bills have been introduced which relate to homeowners and homebuilders. These Bills approached some specific problems, but failed to provide for a comprehensive approach to this problem. Ah . . . It is for this reason that Senate Bill 678 was introduced and passed the Senate last year and that the House Rules Committee considered the matter to be of sufficient import to release this Bill to the House floor. In this . . . Session there are Bills effecting usury rate for home mortgages, Bills to regulate and license homebuilders, measures to require the donation of land by builders for park and school purposes, Bill to require home builders to post bonds to insure that construction meets specified standards for a required period of time, as well as numerous other proposals, including the quagmire of overlapping jurisdictions, con . . . condominium buiders and residents. Because of the abbreviated nature of this Session, . . . ah . . . we are not sure at this time which, if any of these measures, may be enacted . . . ah . . . however, it is . . . I feel important that the subject be given an overall look so that responsible legislative action could be taken next year. Senate Bill 678 would establish a Commission to scrutinize the problem by focusing on rapid-growth areas. Its companion Bill, Senate Bill 1149, provides for a \$20,000 appropriation atduced . . . reduced from the original amount of \$50,000, and the Commission must report to the next General Assembly no later than May 1st, 1975; and I'd appreciate your favorable consideration on these two Bills."

Speaker Telcser: "The Gentleman from . . . ah . . . Representative Jaffe."

Jaffe: "Would the Gentleman yield for a question?"

Speaker Telcser: "He indicates that he will."

Jaffe: "Actually, this Bill was considered previously and was defeated, was it not, in the last Session of the House?"

Friedland: "That's correct, Representative Jaffe. It was called at an inopportune time last year. There were many Members absent, it was late in the day, and it did not receive sufficient votes at



that time for passage."

Jaffe: "Now, if we take a look at the Bill, we actually find that the Commission will have a . . . a chance to actually look at school problems, is that correct?"

Friedland: "Perhaps, yes, it could scrutinize . . . ah . . . any problems related to rapid growth . . ."

Jaffe: ". . . Well, I was suggesting that without these perhaps it would be actual . . . that's what the Bill actually says, and if that's the case, why do we need a School Problem's Commission?"

Friedland: "Search me."

Jaffe: "Pardon?"

Friedland: "Search me."

Jaffe: "Well, . . . well. let me ask you this, what does this Bill do that . . . that the law that we have presently does not do?"

Friedland: "I'm sorry, I didn't hear what you said . . ."

Jaffe: "What does this Bill do that the law that we have presently does not do. What does this Commission do that we can't do at this present time with the School Problem's Commission . . ."

Friedland: "Representative Jaffe, this proposal would not be limited specifically . . . thank you, Mr. Speaker . . . Representative Jaffe, this proposal would not be limited specifically to schools, but any problem that would arise by new towns or . . . ah . . . overnight developments, as you know, as sometimes you may go to bed if you're out in some of the suburban areas and we wake up in the morning, there's a shopping center . . . ah . . . sanitary problems, overlapping jurisdictions, it's just a thrust in that direction."

Jaffe: "Yeah, but the Bill also indicates, does it not, that the purpose of the Commission is to actually protect residential homeowners, is that correct?"

Friedland: "That the name, the proposed name, of the . . . of the Commission, but I . . ."

Jaffe: "No, no, if you . . ."

Friedland: ". . . don't feel it be limited just to residential . . . it would perhaps a budding and nearby commercial or industrial . . ."



Jaffe: "I would suggest to you that perhaps you are not reading the same Bill that I am because it specifically says it protects residential homeowners, is that correct?"

Friedland: "It . . . ah . . . the Bill does mention that to . . . ah . . ."

Jaffe: "That the . . ."

Friedland: ". . . effort to protect residential homeowners of which you and I are one or two."

Jaffe: ". . . well, I . . . I would suggest that this Bill was defeated last time with good reason, and not just because it was called at the improper time, and I think it's a bad Bill and I'm going to vote against it."

Friedland: "Thank you . . ."

Speaker Telcser: "The Gentleman from Cook, Representative Epton."

Epton: "Mr. Speaker, and Ladies and Gentlemen, it gives me great reluctance to get up and oppose the Bill by my good friend, Representative Friedland; unfortunately, when I look at the Senate Sponsor of this Bill, I cannot help but think that I have been here six years and have yet to see him sponsor a Bill which was worth even writing; and once again Senator Soper has been true to form. This Bill is a great example of a tremendous mind at work creating an absolute void. Now, that's not easy; as a matter of fact, there are probably very many Senators who could probably accomplish that, but I think Senator Soper is almost without equal. I won't go into the merits of this Bill. As a matter of fact, unfortunately, I can't because there are no merits to this Bill. May I simply say that I concur with my distinguished colleague across the aisle as an example of the integrity and the ability and the intelligence of this House, I think that we should unanimously, and I appeal to the Sponsor of this Bill, the House Sponsor, to join us in unanimously defeating this Bill, and I ask for a unanimous vote 'no'."

Speaker Telcser: "Is there further discussion? The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this Bill was up about two weeks ago in the House and it was



requested that it be taken out of the Record and then . . . ah . . . there was a vote taken on it when it wasn't taken out of the Record, I believe, and here we are again with it. I find it very interesting that all those people that are speaking against this Bill are from Cook County, and if you think you're a growth area, you're nothing. You ought to come up to Lake County and see what real growth is. Representative Matijevich has got a Bill in the House right now, which will quickly control a form of growth by referendum, and it . . . it's a Bill that has been incurred by the people of our area because growth is running rampant in Lake County. At the present time, Lake County, I believe, is the fastest, fifth fastest growing county in the United States, and also at the present time we have absolutely no good state planning or outlook in this area. Our schools are beginning to be out . . . ah . . . out blanked by the new building developments, there are condominiums, there are shopping centers, and nobody is doing anything about it. Now, it's very easy for some of the old-time Legislators to get up and bad-mouth other old-time Legislators; but I think you ought to start looking at the issues and not who's sponsoring Bills. This might be a very good Commission to look into the problems of a fast-growth area like Lake County, like DuPage County, like Kane County; and instead of looking just to the end of your nose in Cook County, will you please think about the rest of the state because you truly represent the entire state and give this Bill a chance and give this Commission a chance. I urge you to support this Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Caldwell."

Caldwell: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose this Bill, which is about the worst Bill that can possibly hit this floor during this abbreviated Session. I would agree with two of the previous Speakers, who spoke against it in describing it. I would add to that that it's strictly a racist Bill and does no credit to anyone of us here on this floor. There . . . the School Problems' Committee . . . Commission could very well and should look into any educational problems that would be involved in



these so-called growth areas. We have laws sufficient on the books to control every aspect of . . . ah . . . residents in these outlined areas where they don't want . . . ah . . . any newcomers anyway. This would be a waste, and I can understand why they reduced the . . . ah . . . stipend from \$50 to \$20,000 because it would be an absolute waste of public monies, we have enough Commissions studying, we have enough laws on the books to do whatever these communities would want to do, and I would urge all of us to vote 'no' on this very bad Bill."

Speaker Telcser: "The Gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, this . . . ah . . . discussion having ensued long enough time to get to the issues that have been . . . this Bill having been discussed previously, I move the previous question."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor 'aye', the opposed 'no'; the previous question has been moved. Representative Friedland to close."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. These two measures are supported by the Home Builder's Association, the Illinois Municipal League, the Urban County's Council. As you know, Senate Bill 678 has been amended. It has to go back to the Senate for concurrence. There are rumors it may come back with a different Senate Sponsor. I'd appreciate your vote. Thank you."

Speaker Telcser: "The question is, shall Senate Bill 678 and Senate Bill 1149 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker and Members of the House, I wanted to explain my 'no' vote. I bare no animus whatever toward the Senate Sponsor and I have only the greatest affection for the House Sponsor, and I couldn't understand what my friend Lou Caldwell was saying about it being a racist Bill. That seemed to me sheer nonsense because we mustn't be over-sensitive about these matters. The reason I'm voting 'no' is that it cannot help the 54th District



because our . . . we have no growth area. Our population continues to decline, and the reason that it continues to decline as all of you talk about it, but no one does anything to help us get any highways down in the 54th District. So if you want me in the future to Sponsor this kind of Bill why help us get some highways so we can have a growth area and we can have the same problems that the rest of you complain about and should rejoice for having that problem."

Speaker Telcser: "The Gentleman from . . . ah . . . Cook, Representative Epton. I did. Do you want to get Representative Mahar on? They're all dead on this side."

Epton: "Wait a minute, now, now, it's all right. Actually . . . ah . . . thank you. Mr. Speaker and Ladies and Gentlemen, . . . fine . . . the power of the Senate Sponsor is certainly not to be disregarded. I didn't know he could reach that far, but . . . why don't you tell me you made a mistake, Representative Mahar, you meant to vote 'no', I'm sure . . . in any event, I do . . . ah . . . there are some junior Members of this Assembly who seem to find fault with the votes of some of us who may be their seniors. Just because we don't have any hair is no reason why we should be . . . ah . . . maligned in that fashion. Let me assure some of my younger colleagues that since I have been in the House, I have never tried, as have some of you juniors, in dividing the state. I have voted for downstate Bills from the very first day I entered this House. I consider myself a Representative of the State of Illinois and not of my district. So when I speak for or against a Bill, it's not because it's downstate or upstate, I look at a Bill as whether or not it will help the entire state; and when one of my learned junior colleagues would care to admonish me, may I respectfully remind that learned attorney that I have constantly fought against this polarization. As far as the distinguished Senator from across the aisle, I have never individually picked on any Senator. I have simply suggested that the whole Senate should be disbanded. Now, again, may I say that there are just comments. I should go into the merits of a Bill, rather than the



Sponsor; and as I indicated earlier, since I could find nothing of merit to speak about, there was nothing I could do to oppose this Bill, other than to indicate that I felt it was an exercise in futility; but for anyone in this House to suggest that the Representative from Hyde Park South Shore is not aware of the growing problems of the neighboring counties is just sheer stupidity. Sometimes this stupidity is occasioned too often, and I'm afraid that's because we're allowed the use of the microphone too often; and with that last comment, I have no choice but to sit down and say, 'Thank you for voting 'no'.'

Speaker Telcser: "The Gentleman from DuPage, Representative LaFleur."
Representative LaFleur, didn't you seek recognition, Sir?"

LaFleur: "Yes, Mr. Speaker and Members of the General Assembly. I would like to urge a 'yes' vote and I would . . . ah . . . disagree with many of the people who have spoke here and I think personalities are playing a great part into this. Ah . . . I would observe that myself, coming from an area that in a . . . a fast-growth area, we have a need for all of this; and I think it would serve a very useful purpose if we could have these people go forth and examine the problems that are caused by the . . . the movement of people about the state; and I can imagine the people's concern when they come from static area and are . . . are not faced with these great problems; but I would certainly urge that each and every person look at the Bill objectively. I don't think the money is of that great importance. I was the one who reduced it from \$50,000 to \$20,000 because I think the job can be gotten done for that amount of money; but I would certainly urge that each person look at this in a constructive manner and try to understand that the people who have a fast-growth area do need some assistance in trying to solve their problems; and I would urge a 'yes' vote on this."

Speaker Telcser: "Have all voted who wished? Take the Record. Well, if you really think you can talk it up, I'll be glad to keep going. Do you want recognition? The Gentleman from Cook, Representative Ron Hoffman, to explain his vote."



Hoffman, R.: "Thank you, Mr. Speaker, I rise to support this Bill also.

In the last Session of this General Assembly, there was extreme concern as far as the Park Districts and the School Districts and any available land. I sponsored legislation here and tabled it based upon the fact that we were going to have a look-see into this matter; and this is the vehicle that we intend to do it with. I think it's a good Bill. I think in some of the impacted areas and the fast-growth areas this is exactly what we need to look into this matter and get a little more forethought as to what we're going to require in the . . . in the near future. We've had excellent cooperation from the realtors and also the developers in this area. They support this concept. They're looking to help and participate too. They . . . they have a future and they have a stake in this state; and I would ask a few more votes on the board."

Speaker Telcser: "The Gentleman from Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, now, I'm going to have to look at this from my own community's angle; and I think the people from Champaign should, Bloomington . . . ah . . . Rock Island or wherever you may be. Now in my community we have . . . we are a agricultural area. We have corn and soybeans. Some of our suburbs are being built in a soybean field, where soybeans are now or corn is now. Obviously, this should be prevented. We have to think of the population needs of the future and their . . . and food and living space, and I don't think we should look at anything else but the needs that's growing all over this state in every degree of a study to . . . ah . . . to make decisions as to what should or should not be . . . ah . . . a suburban area, suburban land or suburban development in relation to the food supply. I look at it perhaps a little different than some of you here, but I think we have a real need in Decatur to consider these matters, and I certainly urge or suggest that many of you have the same problem as we have. We have to think of the future and our gandchildren and grandchildren; and I don't believe the people that are voting against this are . . . are doing just that; and that is



what your first responsibility is. So I think we should give it a few more votes necessary and get this Commission across because it's an urgent and growing need in Illinois."

Speaker Telcser: "The Gentleman from Cook, Representative Huskey."

Huskey: "Mr. Speaker, and Ladies and Gentlemen of the House, as I look at the green lights on the board, I notice responsible village officials such as mayors on both sides of the aisle voting 'yes' on this Bill. They're voting 'yes' because they know the problem that they face as municipal officials . . . ah . . . and planning and storm sewers sanitary sewers, various things that . . . ah . . . the people that live in the vast areas of the metropolitan area of Chicago would not face in everyday life. My district is one of these fast-growing areas of only south suburban Cook County. We don't have to go out of Cook County. We have many of these problems right in Cook County; and we need help badly in this direction. I urge a 'yes' vote."

Speaker Telcser: "The Gentleman from Cook, Representative Richard Walsh."

Walsh, R.: "Mr. Speaker, Ladies and Gentlemen of the House, just briefly in explaining my vote, I note from the Digest that there are eight Senate Cosponsors of this Bill, four Republicans and four Democrats; and of the eight, seven served here in the House. I think it's unfortunate that . . . ah . . . some of the people who have spoken on this measure have indicated that . . . ah . . . the Bill is of questionable motivation. Ah . . . I cannot . . . ah . . . impute any such intent on the part of . . . ah . . . the Senate Sponsors. I think this Bill has merit. I think we should give it the additional vote, both for our Republican and Senate colleague on the other side of the rotunda, and pass this Bill. I vote 'aye'."

Speaker Telcser: "Have all voted who wished? Representative Epton, for what purpose do you arise, Sir?"

Epton: "As a point of personal privilege. Mr. Speaker, I think that the House should be aware of something which I preferred not to mention to you; but the House passed a Bill out of here last week by a vote of 128 to nothing. That Bill was sent over, a Commission



Bill was sent over to the Senate with a request that John Graham, Senator Graham, be the Sponsor in the Senate. This morning I was advised that Senator Soper picked up the Bill as the Senate Sponsor. I went over to see Senator . . . Senator Soper, and as you Gentlemen have . . . and Ladies have gathered, this is a Bill that I sponsored in the House. I thanked Senator Soper for picking up the Bill and asked him if he would proceed to help pass this. Senator Soper picked up my Commission Bill, and I should say your Bill, advised me that he was not prepared to . . . he had not decided whether he would pass the Bill or not. So I am simply suggesting to you that in the face of that if those of you want to do justice to the other seven Sponsors, I certainly don't question your right; but I would think that out of deference to this House and one of its Members, that the least you should do would be to get off of this Bill at the present time, ask Representative Friedland to hold it; and if at a later date, in the near future, the Sponsor of this Bill decides that he doesn't intend to deliberately lose a . . . one of our Bills that it may well be that this difficult . . . difficulty can be resolved; but I don't think it's speak too well of the House if a Senate Sponsor deliberately picks up a Bill and indicates his desire to defeat it and then proceeds to ask this House to pass a Bill of his; and although I realize that this is out of order, I realize it's asking an accommodation which is unusual, I would respectfully urge all of the men and women who are voting on this to refrain from doing so and have it postponed . . . placed on Postponed Consideration."

Speaker Telcser: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker and Members of the House, briefly explaining my vote, I have heard today on this Bill, Senate Bill 678, a number of comments which apparently reduced themselves to a personality conflict, which I consider to be unfortunate. I can remember well last year when some Senate Bills came to this House and because of some misunderstandings among Members of the General Assembly, namely 'House versus Senate' or 'Senate versus House Members ,



that certain Bills didn't get a good hearing. Now, it seems to me that if those that are voting red would reconsider their vote and take a look at the Bill in Section 2 of this Bill, which speaks to the real thrust of the Bill, and it doesn't just merely speak to schools. It talks about evaluating present methods of public financing of sanitary facilities, parks and recreations and other facilities and services provided by either the state or units of local government and newly developed and rapidly expanding areas. It goes on to say the Commission 'shall also consider methods of protecting the interests of owners of residential real estate' and so on and so on. I think rather than reduce itself to a personality issue, I think we ought to be looking at the thrust of this Bill and reconsider the vote and give it an 'aye' vote."

Speaker Telcser: "Have all voted who wished? Take the Record. Representative Friedland, for what purpose do you arise, Sir?"

Friedland: "Mr. Speaker, I'm sorry to take the time of the House, I'd to poll the absentees."

Speaker Telcser: "The Gentleman has . . . ah . . . asked leave to poll the absentees. Okay, now, let the . . . ah . . . let the Clerk get the Roll Call out of the machine and he'll poll the absentees. Representative Mann, for what purpose do you arise, Sir?"

Mann: ". . . er, I tried to get your attention . . . ah . . . before the Gentleman asked for the poll, and while they're getting it ready, I wonder if I may explain my 'no' vote."

Speaker Telcser: "Proceed, Sir."

Mann: "Well, Mr. Speaker, . . . ah . . . if it weren't enough . . . ah . . . to support my colleague, Representative Epton, which I would do under any circumstances, I just want to point out that we may be . . . ah . . . unleashing here . . . ah . . . a monster . . . ah . . . on local government without giving that monster any . . . ah . . . built in control or accountability to us of the General Assembly. Now, there may be some in this House and maybe it's not the intention of the Sponsor to pass . . . ah . . . a racist Bill; but as I read this Bill it . . . it . . . the spirit of it violates



. . . ah . . . what the Supreme Court cast down in the 1940's, namely, restricted convenience. I don't want to delegate to any branch of government . . . ah . . . a loosely worded hodge-podge Commission, which has the authority to regulate growth. We're talking about zoning. We're talking about public policy in terms of population. We're talking about centers of industry and centers of employment; and why is it that all of a sudden in these outlying areas . . ."

Speaker Telcser: ". . . Representative Friedland . . . I'm going to cut him off . . . Representative Mann, can you wait a minute? Now, Representative Friedland, for what purpose do you arise?"

Friedland: "I request permission to Postponed Consideration."

Speaker Telcser: "Okay, the Gentleman has asked leave to put this on Postponed Consideration. He has that right . . . he has that right under the rules to put his Bill on Postponed Consideration. I said . . . that's why I asked. Okay, put it on Postponed Consideration. Senate Bill 1010."

Clerk Selcke: "Senate Bill 1010, an Act to amend Section 4 of an Act in relation to rate of interest and other charges connected with sales and credit and so forth. Third Reading of the Bill."

Speaker Telcser: "Representative Barnes, for what purpose do you arise, Sir?"

Barnes: "An inquiry. The last Bill, Senate Bill 678, if my memory serves me correctly, that Bill came off of Postponed Consideration and went to the Rules Committee. It was put on Postponed Consideration . . . ah . . . during the . . . ah . . . last year. It's the same Bill."

Speaker Telcser: "Well, let me ask the Clerk, Representative Barnes, it now appears on Third Reading and based on where it is on the Calendar today it is . . ."

Clerk Selcke: "No, it was taken out of the Record . . . it was never put on Postponed Consideration . . . it was taken out of the Record."

Speaker Telcser: ". . . ah . . . Representative Barnes, Representative Barnes, the Clerk informs us that it was taken out of the Record last time and not put on Postponed Consideration. The Clerk has



the Bill marked on the yellow cover.. Representative Schlickman, for what purpose do you arise?"

Schlickman: "Mr. Speaker and Members of the House, on June 18, 1973, this Bill was called for Third Reading and it failed. It lost, it did not receive the constitutional majority. Subsequently, and there was deliberative discussion on the Bill at that time, the second . . . the subsequent night or so when there was literally a handful of Members in this House, a motion to reconsider the vote by which it failed was offered and was adopted. Now, I suggest, Mr. Speaker, that while technically it may not have been on Consideration Postponed at one time, practically it was, even worse so; and I think that to further inflict upon this House the consideration of a bad Bill . . . ah . . . is just wasting the time of the House."

Speaker Telcser: "Well, Representative Shlickman, the Chair can't go behind the Record, which indicates on the face of the Bill that it was never on Postponed Consideration. It now reposes there for its one turn at that. Thanks, Gene. 1010 has been read a third time. The Gentleman from Cook, Representative Randolph."

Randolph: "Mr. Speaker . . . Mr. Speaker and Members of the House, may I have leave to return Senate Bill 1010 to Second Reading for the purpose of Amendment?"

Speaker Telcser: "Are there any objections? Hearing none, Senate Bill 1010 is on the order of . . . wait, wait a minute now, Representative Hanahan . . . ah . . . okay . . . Representative Hanahan, for what purpose do you arise?"

Hanahan: "I'd like to formally object to that request of the Gentleman."

Speaker Telcser: "Ah . . . While we're in recess . . . ah . . . consulting the rules on this matter, Representative Deavers, for what purpose do you arise, Sir?"

Deavers: "A point of personal privilege, Mr. Speaker."

Speaker Telcser: "State your point, Sir."

Deavers: "Just a reminder that the Republican secretaries and the Demcoratic secretaries are playing at 6 o'clock on diamond two at Lincoln Park. So . . . what . . . I hope that they enjoy playing



without myself and Emil Jones, but just an announcement to thank if there is a softball game and that the House Members will have practice at diamond five tomorrow evening. Emil reminds me that the Democrats won last time, but I'm taking all bets."

Speaker Telcser: "Okay, Representative . . . ah . . . Maragos, for what purpose do you arise?"

Maragos: "On the same subject, Mr. Speaker, I would like to know . . . ah . . . if the Chair intends to adjourn by 6 . . . ah . . . the Speaker intends to adjourn the House by 6 o'clock in order to partake of the activities of the secretaries battling under the baseball diamond this evening?"

Speaker Telcser: "I don't know, are we, Ann? Well, we're going to attempt to, Representative Maragos. We're going to try and be out of here by then, but you . . . you just can't predict the debate time."

Maragos: "Because I've received many inquiries from the participants to be in this baseball match this evening."

Speaker Telcser: "Okay, Representative Mann, for what purpose do you arise?"

Mann: "Mr. Speaker and Members of the House, I would like to ask leave of the House to extend the reporting time of the late . . . of the House Committee on Lake Michigan to December 15th. I have talked to . . . ah . . . Mr. Walsh, and Mr. Choate and the Speaker, and they have no objections. Mr. Shea says he has none either."

Speaker Telcser: "Okay, there are no objections, it'll be recorded."

Mann: "And Mr. Hill doesn't either."

Speaker Telcser: "Representative Mann, would you please restate your request, Sir?"

Mann: "I'd like leave to extend the reporting time for the House Committee on Lake Michigan to December 15th."

Speaker Telcser: "Okay, be journalized. Okay, the Gentleman now moves . . . Representative Randolph has now moved to suspend the provisions of Rule 35 for the purpose of returning Senate Bill 1010 from the order of Third Reading to the order of Second Reading for the purpose of Amendment. That motion will take 89 votes. Repre-



sentative Hanahan, for what purpose do you arise?"

Hanahan: "Mr. Speaker, maybe the Gentleman would like to explain what is in Senate Bill 1010 right now before people vote to remove the Bill back to the posture of Second Reading, giving some indication of what he intends to do with his Amendment to the Bill so that some Members of the General Assembly will know exactly what they're doing in moving it back to Second Reading."

Speaker Telcser: "Okay. Representative Randolph?"

Randolph: "Yes, it's . . . ah . . . amending the Usury Act."

Speaker Telcser: "Did you hear that explanation, Representative Hanahan? Okay."

Randolph: "And it will be clearly explained on Second Reading."

Speaker Telcser: ". . . oh, excuse me . . . the Gentleman has moved . . ."

Hanahan: "I beg . . . I beg your pardon, Sir, the . . . the . . . ah . . . the only indication I got here in front of me I . . . in the Legislative Digest on Senate Bill 1010 is that it went through a lot of hell over the last year. It's been amended, reamended, Amendments to Amendments, it has gone in and out of Committee, and it failed last June 25th or it just didn't receive any further direction. I'd like to know what Senate Bill 1010 right now does before this House moves it back to Second Reading."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh, W.: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I . . . I respectfully submit that the Gentleman's question is out of order. The Gentleman from Cook, Representative Randolph, has asked a courtesy be extended to him, one that is extended every day in this House, and it does not require that he go into the merits of the Bill. It is his Bill and he should have an opportunity to offer an Amendment to do whatever he wants. So I suggest to you that the Gentleman's question is out of order."

Speaker Telcser: "All right, the Gentleman has moved to suspend the provisions of Rule 35 for the purpose of returning Senate Bill 1010 to the order of Second Reading. All in favor sig . . ."

Hanahan: "Mr. Speaker . . ."

Speaker Telcser: ". . . Representative Hanahan."



Hanahan: ". . . A point of order. I was just wondering if . . . if there's a point of order brought before this Chair, it says that there's something in error that we know what the hell we're doing here before we do it and an explanation is asked. I don't believe that an out of order request to know exactly what the Gentleman is requesting of this House to take action on. What posture is the Bill in right now and what is in the Bill as now . . . we don't have copies of the Bill?"

Speaker Telcser: "The Gentleman has indicated that he wishes to persist in his motion at this time, Sir."

Hanahan: "Does he refuse to answer what is in Senate Bill 1010? Is he ashamed of it, Sir?"

Speaker Telcser: "The Gentleman answered a few moments ago, . . . ah . . . Representative Hanahan. The Gentleman answered your question a few moments ago."

Hanahan: "It . . . you know, I'll be honest with you, Sir, I can't hear what his answer was back here, we have trouble with the microphone."

Speaker Telcser: "The Gentleman indicated that the Bill amends the Usury Act."

Hanahan: "I . . . I understand that, but it's also on the American citizen too. I mean, it's well and good. I'd like to know what it does to the Usury Act and what is Senate Bill 1010 as it is now before the House of Representatives? I don't think that's too much to ask of any Sponsor or Bill."

Speaker Telcser: "Representative . . . ah . . . Representative Lauer, for what purpose do you arise?"

Lauer: "Mr. Speaker, I would suggest to Representative Hanahan that since Senate Bill 1010 has been on the Calendar for over a week now, that if he were interested in the Bill that he might have read it. However, for his elucidation, I would say that it . . . ah . . . amends Section 4C of the Interest Act, which is the exemption for business loans to clarify that such loans are exempt whether or not the business is carried on for the purpose of investment or for profit."

Hanahan: "And that's all it does, Sir?"



Lauer: "As . . . ah . . . the Bill stands right now, that's all it does."

Hanahan: "It does nothing but remove the usury rate limitation on loans?"

Lauer: "As the Bill stands right now, Representative Hanahan, it . . .
it simply clarifies a question that has to do with an in . . . an
interpretation that would seem to . . . to . . . ah . . . be at
cross-purposes with . . . and in Internal Revenue Service inter-
pretation and . . . and ambiguity in the . . . ah . . . interpre-
tation under the Illinois courts."

Hanahan: "So then as the Senate Bill 1010 now stands before the House
of Representatives, it has nothing whatsoever to do with usury
limitation laws on long-term mortgages, am I correct?"

Lauer: "Now . . . I . . ."

Hanahan: "Well, Mr. Speaker, I'd object to any Amendment that changes
the intent and purposes of the Bill as introduced to this House
of Representatives."

Speaker Telcser: "All right, Representative Hanahan, that objection is
not valid, Sir."

Hanahan: "You mean to tell me you could . . . you could allow any
Amendment . . . any Bill to change the intent and purpose of the
law?"

Speaker Telcser: "Well, there's no Amendment before the House now, Sir.
The Gentleman's motion is to return a Bill back to the order of
Second Reading, we're not . . . Amendment . . ."

Hanahan: ". . . what have I got on my desk here, Sir, I got Amendment
#1 sitting right here on my desk . . . you think he's going to
bring it back to play tiddly-winks?"

Speaker Telcser: ". . . well, not . . . I wouldn't predict that, Sir."

Lauer: "Mr. Speaker . . ."

Speaker Telcser: ". . . all right . . . Representative Lauer."

Lauer: ". . . ah . . . Mr. Speaker, may I point out to Representative
Hanahan that Section 4C of the Interest Act is the . . . ah . . .
the specific Section which carries the usury rate."

Speaker Telcser: "Okay, the Gentleman has moved to suspend the provisions
of Rule 35 for the purpose of returning Senate Bill 1010 to the
order of Second Reading. All in favor signify by voting 'aye', the



opposed by voting 'no'. It takes 89 affirmative votes. Representative Hanahan."

Hanahan: "Mr. Speaker, I'm voting 'no' and in explaining my vote in asking that the other Members of the General Assembly vote 'no' on this motion. The reason why the chicanery is going on to change the usury rate law is not in the best interests of the citizens of the State of Illinois at this time. I think that certainly that there should be complete honesty and integrity to bring a Bill before the House of Representatives to change the usury rate law ought to be that specific Bill, not to amend another Bill during another service to the business rate . . . loan rate under the Section 4C of the statute. I think it's a bad precedent for us to change and to move backwards in time to raise a usury rate law using another Bill at this time; and I recall that if this has been a courtesy extended in the past, it's very odd when Representative Garmisa asked for that courtesy on the R.T.A. and on the C.T.A. it was not given. I don't think it's any precedent in turning down a request to move a Bill back to Second Reading."

Speaker Telcser: "Have all voted who wished? Take the Record. On this question there are 106 'ayes', 8 'nays, 11 answering 'present'; the Gentleman's motion prevails. The Bill is now on the order of Second Reading. Will the Clerk please read the Amendment?"

Clerk Selcke: "Amendment #2 . . . ah . . . Randolph et al, amends Senate Bill 1010 on page 1 and . . ."

Speaker Telcser: "The Gentleman from Cook, Repre . . ."

Clerk Selcke: ". . . incidently . . . ah . . . I got to make a correction . . ."

Randolph: "Mr. Speaker . . ."

Speaker Telcser: "All right, now, one minute, Mr. . . . Representative Randolph, the Clerk wants to . . . ah . . ."

Clerk Selcke: ". . . if you will notice on your Amendments, there are two Amendment 2. The one that has the printed 2 on it is actually Amendment #2 and is the one that I just read, the next Amendment will be a #3."



Speaker Telcser: ". . . The Gentleman from Cook, Representative Randolph."

Randolph: ". . . I ask that Amendment #2 be tabled."

Speaker Telcser: "The Gentleman has asked leave to have Amendment . . .
the Gentleman from Lake, Representative Matijeveh."

Matijeveh: "Ah . . . Only for clarification, I'd like to make a
point of order. According to my . . . my digest which nowadays
are very often wrong, I . . . I have where Amendment #1 was placed
on June 21 and then another Amendment #1 was placed on June 25.
How many Amendment #1's do we have on the Bill? There's about
three of them. I think there was one even before that."

Speaker Telcser: "There's one Amendment # . . ."

Matijeveh: "Well, the Bill . . . ah . . . the Digest said it was
amended, Amendment #1, later it was amended again, amended Amendment
#1; but I can't find anything in the Digest nowadays anyway.
Thank you."

Speaker Telcser: "Okay, Amendment #2 is tabled. Are there further
Amendments?"

Clerk Selcke: "Amendment #3, Deavers et al, and this is the Amendment
that is written with a 2, it's a written 2, Amendment #3 amends
Senate Bill 1010 on page . . ."

Speaker Telcser: "The Gentleman from McLean, Representative . . ."

Clerk Selcke: ". . .1, line 1, by deleting Section 4 and inserting
in lieu thereof and so forth."

Speaker Telcser: ". . . Representative Deavers."

Deavers: "Mr. Speaker, I'd like to offer for adoption Amendment #3
to Senate Bill 1010, and this is the Amendment that Mr. Hanahan
has been complaining about and this changes the usury from 8%
to 9½. It's an emergency measure, and the fact that it's allowed
for one year and one year only, and you'll see that in case the
sale of the property does take part . . . part that they cannot
charge penalty for that sale; and I move for the adoption."

Speaker Telcser: "Is there any discussion? The Gentleman from . . . ah
. . . Cook, Representative Greiman."

Greiman: "Mr. Speaker, and Ladies and Gentlemen of the House, this
Amendment causes me some . . . ah . . . discomfort and cause to



ponder for just a moment at the separate classes that are being established in it. Ah . . . I direct your attention to the provision which makes this applicable to only those sales on mortgages which are . . . which are relating to sales. I really can see no reason why there would be a different rule for sales on the one hand and refinancing on the other hand. If, as a matter of fact, the purpose is to in part open up mortgage financing, we have essentially created two classes of borrowers. My second concern is that . . . my second concern is that it provides for application of the 8% . . . of the over 8% only to those loans which do not impose a penalty . . . ah . . . in the event . . . a prepayment penalty. The contrary is true as a matter of law. If an instrument . . . a mortgage instrument is silent as to the right of the borrower to prepay, then they cannot prepay, and in this case the lender could sit by and refuse to accept the prepayment. My suggestion would be that the only way you could authorize such a . . . such a provision is to require the mortgage document itself to require the lender to accept prepayment; and I would suggest that it does not accomplish the end to which it seeks. I . . . I think that it should be defeated."

Speaker Telcser: "The Gentleman from McHenry, Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, I know I could save some time probably and speak on the passage of the Bill when the Amendment #2 and 3 and 4 and whatever other Amendments are adopted on this Bill and it's moved back to Third Reading. It's so unique for me to . . . ah . . . see emphasis placed on taking the money-lenders that even Christ threw out of the temple being honored here today. It is very odd that we have to go back in time to see who is of what importance in our judgment as Legislators. The money-lenders are certainly getting their due today, but how about the money-borrowers, how about the poor working stiff, the poor working women that want to borrow money. Does anyone in this General Assembly think that it's economically feasible that in this day and age that we should be adding to the inflation of this



country? The Republican Sponsor of this Amendment should be ashamed of himself. He's going completely contrary to what is precedent. President Nixon has said to his Federal Reserve Board that we got to slow down inflation, that we got to stop the spiraling costs. Is this going to stop the spiraling costs, Representative Deavers? I suggest no; I think that if you really want to have a study in economics, you should be pressuring your president, our president, into lowering the interest rate set and standardized by the Federal Reserve Board. I think you should be asking the Congress of the United States to expand housing starts and to expand housing needs for the citizens of America, not to be making the costs of a mortgage go up. Who's kidding who in this kind of an Amendment? This kind of an Amendment is going to add to inflation, not stop it, and if you want to be guilty of it, those of you who want to vote green, go ahead; but remember this that you're not going to create any more mortgage money in Illinois by removing the usury rate to 9½%. All you're going to do is add . . . put off a question that must be answered by the government of the United States and that is whether or not they want to make housing an important feature of this administration. Now, let's not kid ourselves about raising interest rates. I don't know about you, but my kids I don't want to see having to spend 9½% on interest rates, when already the business community charging on the manufacturing of all the various commodities into a home are already charging 15 and 20% for the manufacturing of those goods. Those are things that you can't sit on, those are things that you can't lean against, those are things that you can't feel; and we're talking about money, and let's face it, who's going to make all this money at 9½%? Working men and women? People like you and I? No, it's going to be the financeers again it's going to be the big money managers that want to charge a little bit more for the lending of their money. Well, you know, in Mexico there's a real good standard down there and you could see it happening in America to keep it going; but there's going to be two classes of people, those that could borrow money and



those that can't. The rich and the poor, and by raising usury limitation rates, you are doing exactly that in Illinois, you're trying to make two standards, two sets of people, rich and poor, nobody in between that could afford to borrow money, and I vote 'no' and urge a 'no' vote on this Amendment."

Speaker Telcser: "The Gentleman from Union, Representative Choate."

Choate: "Work the switches . . . Mr. Speaker, Ladies and Gentlemen of the House, I have watched the home-building industry in the southern portion of this state for the past several months. I have watched especially the Savings and Loan in the southern portion of the state completely deplete the list of requests for loans simply because it was not profitable to them to invest their money in the home-building industry in the southern part of the State of Illinois today. Now, let's face it, currently Savings and Loan Association's in Illinois are in a ser . . . serious financial bind and it's due to the fact that that their cost of money, cost of money, primarily in the form of interest on savings deposits are approximating the interest which they can charge on mortgage . . . mortgage loans which is now 8% so closely that mortgage lending in Illinois is becoming unprofitable, causing the market, mortgage market in Illinois to dry up. I've seen it dry up in southern Illinois, and what I think we're attempting to do here with the Amendment, if I understand it correctly, suggested by Representative Deavers, is to provide a temporary measure to deal with this problem until a more permanent solution can be found. We're attempting to say that the interest rate can go from 8 to 9½% until July the 1 . . . July, 1, 1975; and thereafter the interest feeling would revert back to 8% . . . to the 8% level if no other permanent solution is found to this naughty problem in the state; but I, personally, believe that the 13-month time period between now and July 1 of next year should be more than enough time to arrive at an equitable solution to this problem; and as an aid to the mortgage borrowers who would be subject to the higher interest charges re . . . resulting from this Amendment, institutions will be prevented from putting prepayment penalties into



higher rate loans. The only thing that we, who are supporting this Amendment, are attempting to do, and I am going to support it, is to try to say to the financial institutions of this state, 'We want you to take care of the home-building industry in this state'; and contrary to what has been said by some of the opponents of this Amendment, anyone today that can't get a loan under the present interest rate, nobody is going to go out and twist your arm to take a loan at a higher interest rate. There's mandatory about going to one of these institutions and saying, 'O Lord, yes, I want that loan', you and I know that; but if it's unprofitable to the institution to operate under the feeling that we provide here in the State of Illinois today, then let's raise it a wee bit and give those people who feel that they can't afford it the opportunity to make that loan and build that home; and hopefully in the next 13 months we'll find a better, maybe, or a more equitable, maybe, solution; but I'm saying to you that if you want to generate home building in the southern portion of the State of Illinois, if you want to generate employment to some of these laborers, some of these people who are not working today, carpenters, this, I think, is the last opportunity to do so. If you want to generate sales from the lumberyards and the supply houses that depend largely on the construction of homes throughout the seasonal part of the construction industry, then I think that we've got to take some effort to provide this means of employment by construction, the selling of commodities, building commodities, through the art of construction; and I've deliberated long, long, long; but I've seen nothing in recent months being done by anyone . . . by anyone to generate home-building industry in the State of Illinois, and if this what the . . . if this is what it takes, I'm prepared to make that step. I hope that this will solve this problem; and I'm going to vote 'aye'."

Speaker Telcser: "Further discussion? The Gentleman from Cook, Representative Dee."

Dee: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to agree



with our distinguished Minority Leader. I have spent the best part of my life in the practice of real estate and mortgages. I disagree with the Minority Leader in only one way, and that is that you haven't gone far enough. I want to tell you, Ladies and Gentlemen of this Assembly, that the entire prosperity of this country is dependant on the building trades. When the building trades die, our prosperity dies. There's over 300,000 workers in the building trade and allied lines in Cook County alone. They are depending entirely on the mortgage market to keep employed constructing new homes and other industry and other construction allied directly to the new homes. What this Bill does, and I urge your support, what this Bill does is keeps alive for the next 12 months the building trade, the building industry and the Savings and Loan institutions of our state; and I urge a 'yes' vote for the passage of this Bill. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Capuzi."

Capuzi: "Mr. Speaker, I move the previous question."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor . . . wait, Representative Kennedy, for what purpose do you arise, Sir?"

Kennedy: "Mr. Speaker, I had my hand up, I had my switch to speak for . . . touch . . . a while ago when Representative Sangmeister moved the previous question, the Speaker, the Honorable Robert Blair, asked him to hold it up; I think people know my feelings about the usury rate, and I would like an opportunity to be heard in opposition to this Bill."

Speaker Telcser: "All right, do you want to withdraw your . . . ah . . . motion? Do you want to hold it, Representative Capuzi?"

Capuzi: "Ah . . . I'll withdraw my motion for the present."

Kennedy: "Thank you."

Speaker Telcser: "The Gentleman from Madison, Representative Kennedy."

Kennedy: "Now, Mr. Speaker, and Ladies and Gentlemen of the House, it's a pretty tough Act to follow when you follow your Leader and he's talking just the opposite of what you're talking; but there's more at stake today than what you're saying is at stake. What you're



doing is falling in line with the Federal Reserve Board and they don't know what they're doing half the time. I would imagine that the Federal Reserve Board was . . . when it was statutorily enacted in 1960, I don't say this without a sense of humor, the only they ever done right in their life was when they went home on the weekend. I would like to tell you a very possible conversation between two very prominent men in this country. Let's assume that it's 10 o'clock time . . . 10 o'clock Washington time, 10 o'clock New York time, and 9 o'clock Chicago time. David Rockefeller and Gaylord Stevens get together and they tell you you're going to raise the prime rate so the big banks don't lose anything. Now, let me cite to you an example, the Arabian nations control the oil and the big bankers control the money; and the only people you're going to hurt . . . you evidently have the votes to pass this Bill . . . but the only people you're going to hurt is the little consumer, and once you pass this Bill, you'll reenact it again this July because you'll have the votes to do it, and I urge you not to adopt these Amendments. I thank you."

Speaker Telcser: "All right, Representative Capuzi, do you want to persist in your motion, Sir?"

Capuzi: "Yes, Mr. Speaker, I now . . . my motion . . ."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor signify by saying 'aye', the opposed 'no'; the Gentleman's motion prevails, and Representative Deavers to close."

Deavers: "Yes, I move for the adoption of Amendment #3 to Bill . . . Senate Bill 1010."

Speaker Telcser: "The Gentleman has offered to move the adoption of Amendment #3 to Senate Bill 1010. All in favor of the adoption signify by voting 'aye', the opposed by voting 'no'. Have all voted who wished? Take the Record. On this question there are 104 'ayes', 28 'nays', 7 answering 'present' . . . Mann 'no' . . . Laurino 'aye' . . . and Amendment #3 to Senate Bill 1010 is adopted. Are there further Amendments?"

Clerk Selcke: "Amendment #4, Lauer et al, amends Senate Bill 1010 . . ."



Speaker Telcser: "The Gentleman . . ."

Clerk Selcke: ". . . on page 1 and so forth."

Speaker Telcser: ". . . from Logan, Representative Lauer."

Lauer: "Mr. Speaker, I move to . . . ah . . . table Amendment #4 . . ."

Speaker Telcser: "The Gentleman has moved to table Amendment #4. Objections? Hearing none, Amendment #4 will be tabled. Further Amendments? That's it?"

Clerk Selcke: "That's it."

Speaker Telcser: "Third Reading. The Bill has been read a third time . . . ah . . . Representative Lauer, I understand will now act as the Sponsor, do you wish to have it . . . Senate Bill 1010. The Gentleman from Logan, Representative Lauer."

Lauer: "Mr. Speaker, Ladies and Gentlemen of the House, the House of Representatives today has the opportunity to do a couple of great things for the whole economy, the whole health of the economy of this state. They're actually in Senate Bill 1010 giving this House an opportunity to go on Record, first, in the clarification of those areas of business which are exempted from the provi . . . from the provisions of the usury Bill . . . ah . . . from the usury Act. There has been confusion in the past because of a differential of opinion between the Internal Revenue Service, between the Illinois courts and between . . . between some Illinois lending institutions. If you will look at the general Bill on page 2, starting at line 12, we strike out the language which would clearly create the confusion by not making this distinction between those businesses which operate for profit and those businesses which are operated for purpose of investment only. We have struck this provision and we have further clarified in line 28 what the term 'business' shall be deemed to mean; and it is deemed to mean the commercial or industrial enterprise which is carried on for the purpose of investments or profits; but it specifically exempts and leaves under the terms of the usury Act that it shall not be deemed to mean the ownership or maintenance of real estate occupied by an individual obligor solely as his resident. Now, I think this . . . ah . . . is necessary clarification in order



to remove all doubt in the minds of lending institutions as to what the . . . ah . . . exemption is under the usury Act. By Amendment #3 we have actually given the consumer, and I will say this in . . . in full respect to the Gentleman from Lake or from McHenry, that we have given the consumer a protection because actually the consumer under the provisions of Amendment #3 to Senate Bill 1010 will be required actually to pay a lower down payment that he presently must come up with. One of the things that has prevented the little guy, the working stiff, to the . . . from being able to buy his own home is that with the 8% usury rate he has to come up with such a tremendous down payment that if he can come up with a down payment, he really doesn't need to borrow the money. It's one of those cases of . . . ah . . . under the present provisions of the law, he's damned if he does and damned if he doesn't. I also submit, Ladies and Gentlemen, that we will see a great growth in the construction industry in this state based upon this Act. If not, we will see the Act itself self-destruct on July 1, 1975. Further, this will prevent the out . . . out flow of capital in . . . ah . . . from the state. Ladies and Gentlemen, I request a favorable vote on Senate Bill 1010."

Speaker Telcser: "Is there any . . . the Gentleman from . . . ah . . . Lake, Representative Matijevich."

Matijevich: "Mr. Speaker . . . oh, Mr. Speaker, and Ladies and Gentlemen of the House, I . . . I can see that this Bill is going to pass; but I don't think anybody ought to stand up here and say that this Bill ought to be passed in behalf of the little people, and I don't appreciate the fact that a Leader of the Democratic Party feels that way because the Democratic Party has always stood for the interests of the little people . . . of the ordinary people. Now, as far as I'm concerned . . . as far as I'm concerned, you can place this in the same . . . same category as the energy crisis. It's a manufactured as the shortage of fuel because when you have a shortage then your price; but is now, it . . . it isn't February anymore, it's June and we're getting all the gas



we need; but what are we paying for it? We're paying a hell of a lot for it. So it's no different now with money. There's a shortage of money and there's going to be all kinds of money soon so we're going to pay for it. The . . . these Savings and Loans and the banks that made as much money in the past years as they ever did, more; but now they're going to get more from the little person. So this is no different that any of the shortages . . . shortages. As far as I'm concerned, I ought to be for this. We ought to round up every banker and all those in the Savings and Loan . . . you know, we talk about the illegal juice . . . we ought to round them all out and arrest all of them because all we're doing here is legitimizing juice, making legal. Now, I think Representative Kennedy hit the nail on the head, when he places the blame on the Federal Reserve System, that's where the blame ought to lie. Now, many of . . . now, Mr. Speaker, I think I've got a right to speak here as any Member of this House. Because you disagree with me, you stand up and speak, and I'll listen to you; but I think that if we place the blame where it really lies . . . many have said to me, 'I'm sick and tired of the Federal Government coming here and telling us what we've got to do or we will lose Federal funds, motor fuel funds' . . . ah . . . forget it. I do . . . I believe, Mr. Speaker, every Member deserves some sense of decorum and cour . . . courtesy and I don't appreciate standing here when I think I'm speaking in the best interests of the people, and just because someone's standing here voting for the money interest, there has not been one little, I imagine, from any of you, from an individual, from . . . ah . . . from a couple who wants a loan asking for you to vote for this Bill. Who the hell is up there asking today for this Bill? Not the . . . not the people of the State of Illinois, but the banks and savings and loan and the real estate industry. Yet, the real estate editor of the Daily News over the weekend said, 'All this will do is hurt the little person'. Mr. Speaker, I urge a 'no' vote."

Speaker Telcser: "Is there further discussion? The Gentleman from . . . ah



. . . Representative North."

North: "Mr. Speaker, and Ladies and Gentlemen of the House, I would like to reply to that passion plea for the money-lenders. I have a petition in front of me that 13 business agents in the Rockford Trade Union area that have signed saying, number 1, 'outright exempting residential borrowing from the usury ceiling to raising the current 8% limit to some higher rate compared with our money costs'. Future homeownership in Illinois is facing a disastrous future, that if the obstacles in Illinois is not so . . . corrected soon, thousands of our working citizens will surely be without jobs in the real estate construction and mortgage lending fields. I take exception to the allegations made by the Representative on the other side of the aisle. I think that this is quite important to the working people; and as indicated in these 13 trade union business agents in my area, I think this is a good Bill. It should be passed and give these people a chance to get out and work."

Speaker Telcser: "The Gentleman from . . . ah . . . Cook, Representative Peters."

Peters: "Mr. Speaker, and Ladies and Gentlemen of the House, I was especially intent and interested in the comments made by both Representative Hanahan and Representative Kennedy. I think we are fast approaching the point in this country where the concentration of wealth is ending up in the large banks, the large insurance companies, the foundations, the pension fund and the churches, and sooner or later we're all going to be at the very short end in trying to really act against the power of these billions of dollars that are set up against us. I think that this money shortage which we have been experiencing here in Illinois over these past year is a phony as the fuel shortage has been. I think it was calculated specifically to drive up the interest rate. Understanding all of that, however, I also think that if we really want to make some impact upon the lending industry in the State of Illinois, at some point we ought to end up considering some special tax or on interests or on monies that are made on investments by



banks outside the state. I think that probably would keep a little bit more money here within the borders of the state where we end up needing it; but saying all of this and still understanding the very serious problem that the real estate people are in, that the building industry is in, that our trade's people are in, I will vote for this one year, 9½% interest rate, although the provisions of some of the . . . this Amendment, as pointed out by Representative Greiman, are bad; and, frankly, I don't think that this is going to help; but I'm going to vote for it because it's the only way I feel that I can hope to at least alleviate part of the situation. I think we're going to end up finding out with the government paying as they did last week 11.2% on treasury notes that there's really very little reason for the banks to give anybody a mortgage at 9 or . . . 9½%, especially when it's for 20 years. That problem is still going to be there and I think we're going to be back next year again with a rehash of this same measure, but I'm going to vote for it just this one time; and I'm never, as far as I see now, going to vote to raise this usury rate again as . . . again in this state, unless we also have some companion legislation to limit . . . to limit the amount of money large banks or any banks can invest outside the state where they take our deposits, drain them off to other states and make that fantastic profits on them, while our community and our local industry suffer."

Speaker Telcser: "The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

I'm not going to get into the emotional aspects of the Bill. I'd just like to state quite emphatically that in last Friday's Daily News, the Daily News real estate editor, Albert Skedlicka, pointed out the usury limit hike only borrows more from owning homes, I'll repeat that, usury limit hike only borrows more from owning homes; and I was hoping that what we would do today is, instead of listening to the march by the people that appeared in Springfield today, that we would listen to the people who are going to be paying the additional costs. It's a rather interesting article that appeared



in the paper, and it pointed out the fact that states with higher usury rates have had a sharp decline in building at a rate of 25%, and Illinois has not faced that 25% mark yet, it also pointed out the fact that, yes, there are remedies to this very bad situation, and it's saying that the recurring crisis of the housing industry can only be averted by establishment of a national housing policy that will assure continuing orderly flow of mortgage funds for home purposes and all experts agree in that area. I think we're making a very bad move here today by increasing it to 9%. It's increasing the cost for on the 25-year mortgage approximately \$13.50 a month per household. Nowhere in the Amendment is there a provision that they can provide additional points, nowhere in the Amendment is there a provision as far as safeguard to the homeowner on the point system; and in conjunction with, I think, this one-year establishment is really a fallacy, it's a stepping stone, it's a stepping stone to higher interest rates; and I would hope, in fact, I was hoping today to have this article passed out to every Member that . . . around the House so you'd be knowing exactly what you're voting upon, voting upon where you have an expert within the field, a man who is recognized throughout the country, stating that the usury limit will just bar more people from owning homes. I would hope you'd vote 'no' on this Bill, and, in turn, I think there's different ways of approaching this national problem; and I think this General Assembly can come up with a solution. I would encourage a 'no' vote."

Speaker Telcser: "The Gentleman from Lake, Representative Griesheimer."

Griesheimer: "Mr. Speaker, and Ladies and Gentlemen of the House, although I deeply respect the comments of the last Speaker as an individual I just can't help but believe that the so-called expert carries about the exper . . . same expertise as so many people writing in our newspapers today. He hasn't been out in the field, nor has he seen what's been going on. Lake County, Illinois, has been tremendously impacted by this shortage of money, and when I hear Representative Matijevich, who referred to the little people, I



would suggest that he take his four flags and walk down to the Building Train . . . Trade Union halls and look at the plumbers sitting around trying to get jobs. It's really a crisis, the little guy cannot get a job in our area; but there's another angle that I'd like to speak to here because it sort of amplifies what the Minority Leader stated when he was making his remarks, when people can't sell their homes and they're forced to leave the state or the area for all sorts of family reasons and business reasons, they'll only try for so long to find a willing buyer. Willing buyers are those people who want to buy the house and then go out and get a mortgage. Well, they haven't been able to get mortgages in our state; and, as a consequence, these sellers have been abandoning their homes. I happen to know as a matter of my own business that there are more foreclosures going on in the State of Illinois, and particularly in my county, since about the time of the Depression, and the reason for this is that people are abandoning their homes. There are not executives, these are not the homes in Lake Forest, these are the homes in and around Lake Beach, Illinois, these are the little people that the . . . some of the Speakers on the other side of the aisle claim that they are protecting. I think there is only way that we can do something about this, and that is to pass this Bill today, hoping that this temporary relief will be resolved into some form of permanent relief. Keep in mind as you're considering this Amendment and other Amendments that Illinois is the lowest interest rate in the nation; and as a consequence, our lending institutions cannot even take advantage of the recently enacted Federal law recognizing the emergency and . . . ah . . . allowing a great deal of money to be borrowed through the Federal system; but that money is available at 8½%. So that while Wisconsin with their 12% maximum rate can borrow money and loan it out at 8 3/4 or 9%, the State of Illinois cannot even borrow that money. The problem just doesn't effect the big banks, the problem doesn't just the effect the real estate brokers and the home builders, it respects . . . it involves the little man who is trying to sell his



home, the little man who is trying to work on homes; and I urge you to support this Bill."

Speaker Telcser: "The Gentleman from DuPage, Representative Philip."

Philip: "Mr. Speaker, and Ladies and Gentlemen of the House, most interesting to me the most . . . the comments of the Representative from Cook County, and I'd like to quote from, I think, a very reliable source, the Construction Report Bulletin T40 from the United States Department of Commerce; and what it really in effect says is, 'Lower mortgage interest rates means downturn in housing activity', and I'd like to point this out, in the midwest are are three states . . . in the midwest there are three states that are at 8% ceiling. Missouri is down, and this . . . I'm talking about housing permits to build new houses . . . is down 13.6. Minnesota is at 8%, is down 44.8. Illinois is at 8%, is down 17.7. Now, look at . . . let's look at the other states who are close to Illinois who had a higher rate. We have Indiana at 10%. It happened to have a +34.2%. Michigan is at 11%, they have a +19.4. Wisconsin is at 12% and has a 22.6% increase in new homes. So I think that that is very obvious to me what the record bears out, and I think we ought to support this increase in usury."

Speaker Telcser: "The Gentleman from . . . ah . . . Macon, Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, I move the previous question."

Speaker Telcser: "The Gentleman has moved the previous question. All in favor 'aye', the opposed 'no'; the previous question has been moved, Representative Lauer to close the debate."

Lauer: "Mr. Speaker, Ladies and Gentlemen of the House, much has been said on both sides of this question and there's validity on both sides. I submit that the Bill that we have before us today is a stopgap measure. I submit that the whole question of interest rates of the control of savings and loans, of the control of the system of points is valid area . . . is a valid area of interest for consideration by this House; but thing of it is we don't have time, we don't have time at this point, rather I think we should



avail ourselves of an emergency Bill, which will self-destruct July 1, 1975, that is written into Amendment #3 and if the Savings and Loans and banks do not in fact hold this mortgages and investment money within this state, then I submit that I will myself support a move to take the usury rate back to 8%. Over \$400,000,000 has flowed out of this state and . . . and this would be mortgage money available within this state within the last year. Ladies and Gentlemen, this is 20,000 \$20,000. I'm not talking about the . . . ah . . . home . . . the big homes, I'm talking about the homes of the average individual. Ladies and Gentlemen, I would request a favorable . . . favorable vote on Senate Bill 1010."

Speaker Telcser: "The question is, shall Senate Bill 1010 pass? All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Lawrence, Representative Cunningham."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, explaining my 'no' vote on this particular question, I recognize that this Bill creates the very strangest of political bedfellows; but the fact remains that once in a while organized labor is right; and certainly I . . . in this instance, righter than two rabbits. It's sheer, utter nonsense for anyone to say that this Bill will self-destruct in 1975. You put this higher limit on and you'll be back again in six months to raise even a higher limit; and it's no argument to say it'll be an impetus to get loans. There's more to real estate mortgage than just getting the loan, there's the responsibility of paying it back. We reach a point somewhere along the line where the borrowers can never return the money that they've borrowed. This is an invitation to bankruptcy foreclosure suits in . . . in large quantities. Perhaps the lawyers, as well as I, should vote for it. I urge you, I plead with you do not throw your constituents and the citizenry of Illinois to the mercy of the money lenders, they have no mercy. Vote 'no'!"

Speaker Telcser: "The Gentleman from Cook, Representative Shea . . . having a little power trouble up here."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to be



recorded 'present' on this Roll Call."

Speaker Telcser: "Record Representative Shea as voting 'present'.

The Gentleman from Franklin, Representative Hart. We got to get this voting over quick before this power goes for the day."

Hart: "The . . . ah . . . Ladies . . . Mr. Speaker, and Ladies and Gentlemen of the House, the prime rate in the United States has been way over 8% for a long time, and . . . ah . . . I haven't had one letter from any person in my district, nor from any person in the State of Illinois, urging me to vote for a Sponsor or any legislation to increase this rate on home building or the usury rate. I think we're being stampeded here into doing something for special interest groups. We can't do anything unfortunately about the price of gasoline, and we can't do anything unfortunately about the . . . the price of many things that appear . . . ah . . . to us as consumers; but here is one area that we can do something about. Increased costs are the most frustrating thing that faces the public today. Home building in our area is . . . ah . . . is not diminished. Savings and Loans, for instance, there are two new Savings and Loans in our area which have announced that they were going to have offices in another area of the state. They're expanding their offices. I don't think there's any . . . any . . . ah . . . there's any demand for money that can't be met under the present rate. We can't get anybody to do . . . to build a home in our area because there are . . . they are already in demand. We can't get any carpenters to do any work, you can't get any jobs done because there is such a demand. The only solution to this problem really lies in better management of the government of this country with more of an eye to what's good for the people and not what's good for big business. I would like to see Illinois resist this trend and be . . . and be an outpost for the . . . ah . . . for the public. This is one area where we, as Legislators, can make a difference, and I think we ought to do it. I urge you to vote 'no'."

Speaker Telcser: "Okay, the Lady from Cook, Representative Macdonald."

Macdonald: "Mr. . . . Thank you, Mr. Speaker, and Ladies and Gentlemen



of the House; . . . ah . . . I have heard this afternoon about the fact that we had been stampeded and, of course, have had special interests groups coming to see us today, and . . . ah . . . I must say that I somewhat resent that particular attitude from the Members of the House. I know that I have talked to Stanley Johnson, I have talked to Tommy Hanahan and I've talked to many others knowing your deep concern and your very sincere concern for the interests of laborers . . . ah . . . as long ago as in the early fall. I live in a very transient area in Illinois and my responses have not just come from builders, they have not just come from Savings and Loans and banks, they have come from the people who are moving in and out of the 3rd District, the 4th District, the 5th District; they are people who cannot get mortgage money, they are people whose lives depend on their mobility; and I think that it is irresponsible for us when we have this grave problem facing Illinois for us not to be concerned about the entire economy of Illinois. I can remember at the risk of giving my age away in the years of the Depression when it was . . . I lived in California at the time, and I know that the midwest, and particularly Illinois, was considered to be a very stable portion of this nation. We have had this reputation and this honor for a long time; and I think that it is incumbent upon those of us who are sitting here in the Legislature to see that Illinois remains in perilous times it . . . admittedly that we remain a healthy, economic state; and I would urge your 'yes' vote on this particular crisis that faces Illinois."

Speaker Telcser: "The Gentleman from Madison, Representative Calvo."

Calvo: "Mr. Speaker, Ladies and Gentlemen of the House, this looks like this may be useless; but I hear all this cry about the Savings and Loans don't have the mortgage money to invest because they only get 8%. Well, reason they don't in my area is they bought as much money as they can invest, one of them \$100,000 worth of government securities at over 8% or around 7½% at that time. When that money should have been going in mortgages and serving the people that collected from in their own community; and I tell



you that when the borrow money from the Federal Home Loan Bank at 6% and then buy government securities for 90 days at \$100,000 at a crack at 8%, they should not come to this Legislature for this kind of relief and they don't deserve it; and you should not put this on the working man and on the people and drive them out of the housing market. I don't know, it's all right if you want to give this kind of relief and say, 'Okay, we'll build big skyscrapers that the millionaires can invest in and then raise the rent to pay the extra interest; but the people aren't going to buy these homes unless we remember the peoples' wants; and I'd urge you to vote 'no', and I'm sorry it looks like a lost cause."

Speaker Telcser: "The Gentleman from Henderson, Representative Neff."

Neff: "Ah . . . Thank you, Mr. Speaker. In explaining my vote, and I'll try to do it shortly, I am a little bit disturbed that this is a misunderstanding of who this usury rate particularly helps and doesn't help. I think it's wrong to say that it doesn't help the little man. I don't think it's helping our lenders in the state porportionately near as much as it's helping the smaller people . . . ah . . . the lending institutes as is happening now can get their interest by . . . letting it go out of state and which has happened in the last few months. So, consequently, the money isn't staying in Illinois. The corporations in Illinois have no . . . ah . . . usury rate on them, and building the skyscrapers and so forth, these people can get the money, the people that have the wealth can get the money, but it's the small person that wants to buy a home, and certainly should have this right in the state and . . . and his option to what interest he wants to pay . . . ah . . . under the present conditions, it is not available; and I think it'd be much better to have money available at 9% than to have no money available at . . . because of an 8% usury limit. We are talking about a basic, American principle . . . ah . . . so-called free market and it has been brought out here that there's only four states . . . ah . . . in the nation that have a usury rate of 8% or less. Thank you."

Speaker Telcser: "The Gentleman from Madison, Representative Sharp."



Sharp: "Thank you, Mr. Speaker . . . ah . . . Ladies and Gentlemen of the House. I've heard a lot about the statistics that have been raised here as how these 'sorts' are down 17% and . . . and so on, but I think there are two things that have been brought up that have to be looked at. First of all, if we put what we call ceiling at 9½% on loans or for mortgages or for housing and I believe that Representative Kennedy hit the . . . the nail on the head when he said that there's not going to be a stopping point before it reaches 9½%, and next year when it expires, there's going to be most likely another move just to renew this or increase this rate; and I think the other thing we have to realize is that we're doing nothing more here than contributing to a vicious circle of inflation that's going on in this country now and that's going to continue on if we continue . . . ah . . . carrying out . . . ah . . . acts such as this. I believe we have to realize one thing, is that if . . . and this is important, I think . . . if we look at statistics on what's happening to the working man's real income, we don't see his real income, which is nothing more than his purchasing power, it's just going down, it's not going up; and so I think when we . . . we say that . . . I think that when we say that this is going to encourage more housing starts and so forth, we're just kidding ourselves. It's not going to do that. We're doing nothing but adding to inflation; and I think this is the wrong move on the part of the General Assembly."

Speaker Telcser: "Have all voted who wished? Take the Record. On this question there are 108 'ayes', 36 'nays', 18 answering 'present'; . . . ah . . . Brummet 'aye' . . . this Bill having received the constitutional majority is, hereby, declared passed. Representative Maragos, for what purpose do you arise, Sir?"

Maragos: "When you're on . . . when you're on the subject of motions, I would like to be . . . ah . . . before you adjourn, I have to motion a couple of Bills . . . ah . . . to be heard before Revenue."

Speaker Telcser: "Let's do that . . ."

Maragos: "I the acquiescence of the Leadership on both sides."



Speaker Telcser: ". . . Senate Bills, First Reading."

Clerk Selcke: "Senate Bill 1283, an Act to provide for the ordinary and contingent expenses to the . . . environmental quality. First Reading of the Bill. Senate Bill 1291, an Act to amend the Election Code. First Reading of the Bill. Senate Bill 1476, an Act to amend the Personnel Code. First Reading of the Bill."

Speaker Telcser: "Okay, are there any announcements? The Gentleman from Grundy, Representative Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House; I would like to announce and remind the Membership that there will be an Appropriation's Committee meeting at 8:30 a.m., tomorrow in Room 400; and I would ask leave at the time to suspend the appropriate rule so that the following Bills might be heard in addition to those that are already posted. I would like it . . . Mr. Speaker, I'd like the attention of the Membership because I'm . . . I'm asking the suspension of the appropriate rule so that the following Bills can be posted along . . . or heard along with those that have already been posted; House Bills 2616, 2617, 2618 and 2848, Representative McCormick's the Sponsor. House Bills 2659 and --60, Representative Borchers. House Bill 2844, Hill. Senate Bill 1262, McPartlin; 1323, Hanahan; 1351, Kennedy; and 1469, Choate in Room 400 at 8:30 in the morning."

Speaker Telcser: "The Gentleman has moved to suspend the provisions of Rule 18 . . . ah . . . are there any objections using the attendance Roll Call as an affirmative vote? Hearing none, . . . ah . . . the Gentleman's motion prevails. Representative Randolph, for what purpose do you arise?"

Randolph: "Mr. Speaker and Members of the House, there will be no Committee meeting of the Revenue Committee. The Revenue Committee will meet at 9 a.m. tomorrow morning in Room D1. I would like to have unanimous consent to . . . ah . . . have the appropriate rule suspended for the posting of Bills for next week that we may post requests for next week, tomorrow . . . tomorrow."

Speaker Telcser: "All right, now . . . ah . . . I understand that the Majority Leader is going to . . . ah . . . suspend that rule for



all Bills."

Randolph: "Okay."

Speaker Telcser: "Since we're meeting late this week."

Randolph: "But the Revenue Committee will meet tomorrow morning at 9 and not tonight."

Speaker Telcser: "Okay; Representative Maragos, for what purpose do you arise?"

Maragos: "Mr. Speaker, I move to suspend House Rules 31 and 31.1 to take House Bill 2725 from the House Committee on Rules and assign it immediately to the House Revenue Committee. This has been agreed to by both sides of the aisle, this is a revenue Bill. It should not have been in the Rules Committee, and the Chairman of the Revenue Committee . . . and the Chairman of the Revenue Committee has agreed to it, both the Leadership and . . . because it should not have been in the Rules Committee in the first place."

Speaker Telcser: "One minute now, are there objections to using the attendance Roll Call for the affirmative vote? Hearing none, that will be the affirmative Roll Call on Representative Maragos' motion. Representative Peters, for what purpose do you arise? Who does, wait a second . . . Representative Maragos, for what . . ."

Maragos: "Mr. Speaker, Representative Randolph, the Chairman of the Committee, would like to make another motion to suspend another rule so we could post that on the Revenue Committee if you will please at this time."

Speaker Telcser: "The Gentleman from Cook, Representative Randolph."

Randolph: "I'd like to have leave of the House to suspend the appropriate rule so House Bill 2725 can be heard in Revenue Committee tomorrow morning."

Speaker Telcser: "Now, we . . . just hang on . . . Representative Deavers with an announcement."

Deavers: "Mr. Speaker, one more announcement pertaining to the girls' softball game, it will be played at 7 o'clock, which is 40 minutes from now. Everybody please be there."

Speaker Telcser: "All right, Representative Shea, for what purpose do you arise, Sir?"



Shea: "Mr. Speaker, I'm wondering if you could enunciate the . . . what Representative Randolph or would Representative Randolph please explain what's happening in Revenue, I didn't understand what he said?"

Speaker Telcser: "Representative Randolph, do you wish to explain to Representative Shea what your motions were?"

Shea: "And I've tried . . . with regards to the Bills that have been posted and when the hearing is going to be, Representative?"

Randolph: "The hearing will be at 9 a.m. tomorrow morning in C1."

Shea: "All right, that's all Bills that are presently posted . . ."

Randolph: "All Bills that are posted."

Shea: "I see, then there's been one Bill added, 2725?"

Randolph: "No, . . . ah . . . there's objections to that and that will be heard, 2725 . . ."

Shea: "Well, is 2725 gonna' be heard tomorrow?"

Randolph: ". . . no, just a second."

Shea: "Pardon me?"

Randolph: "One minute. Where is the report . . . 2725 will be posted tomorrow and heard next week."

Speaker Telcser: "Okay, Representative Neff, for what purpose do you arise, Sir?"

Neff: "Ah . . . Mr. Speaker, I rise for the purpose of an announcement. The Transportation Committee meeting will be held tomorrow morning at 8 o'clock sharp; I hope we'll have a quorum there because we only have a few Bills, but we can get them out if we'll be there on time before most of the other Committees get started. Thank you."

Speaker Telcser: "Representative Bluthardt, for what purpose do you arise, Sir?"

Bluthardt: "For the purpose of an announcement, Mr. Speaker. The Election's Committee scheduled to meet this afternoon has been postponed until next Tuesday at 2 o'clock in the afternoon or as soon as the Session ends in Room C1."

Speaker Telcser: "Okay, Representative Wall, for what purpose do you arise?"



Wall: "Mr. Chairman . . . Mr. Speaker, and Ladies and Gentlemen, the Committee on Registration and Regulation will meet immediately after adjournment in Room M4."

Speaker Telcser: "Okay, Representative Campbell, for what purpose do you arise, Sir?"

Campbell: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, the Human Resources Committee will meet immediately after adjournment in Room C1."

Speaker Telcser: "Representative Barnes, for what purpose do you arise?"

Barnes: "Thank you very much, Mr. Speaker. Ah . . . Mr. Speaker, I would like to suspend the appropriate rule to have House Bill 2757, which has been assigned to the Higher Education Committee, to be heard in Higher Education. Now, I've cleared this with the Leadership on both sides of the aisle. I've also cleared it with the Chairman of that Committee. The companion Bill is being heard today in Human Resources, and I would appreciate it if I can have the unanimous consent of the House to have this Bill heard in the Higher Education Committee tomorrow?"

Speaker Telcser: "Is there any discussion? Okay, hearing no . . . ah . . . objections, the Gentleman's motion . . . ah . . . will prevail with the attendance Roll Call as the affirmative vote. Representative Tom Miller, for what purpose do you arise?"

Miller, T.: "Thank you, Mr. Speaker, to make a motion to move to suspend the appropriate rules to have House Resolution 975 heard in the Executive Committee Friday morning. Due to a clerical oversight, it was neglected to be posted and I would ask leave of the House."

Speaker Telcser: "Are there any objections to suspending the provisions of Rule 18 for the purpose of hearing House Resolution 975 in Exec' this week? Hearing no objections, the attendance Roll Call will be used as the affirmative Roll Call. Representative Peters, for what purpose do you arise?"

Peters: "Mr. Speaker, and Ladies and Gentlemen of the House, for the purpose of an announcement. The Fuel Allocation's Subcommittee of the Appropriation's Committee will meet immediately after adjournment here at . . . on the House floor . . . ah . . . Repr-



sentatives Keller, Madigan, Totten and Lauer. It's a short meeting."

Speaker Telcser: "Representative Duff, for what purpose do you arise, Sir?"

Duff: "Ah . . . Mr. Speaker, I would like to rise on a point of personal privilege and I'd appreciate it if the Chair would try to get some attention in the House."

Speaker Telcser: "State your point, Sir."

Duff: "Mr. Chairman, Ladies and Gentlemen of the House, we're working under a difficult situation this Spring and a matter of accident, I suppose, in fact that . . . motions always come late in the Calendar. I . . . ah . . . would like to remind the House that . . . ah . . . last Fall when I proposed a Bill of an emergency matter, I was asked to hold it because of the attention of the Session and the necessity of time, which I did. I also have had those Bills, one on usury, a House Bill, and 30 on the licensing of the professions. Both in Rules Committee for the last four weeks, I, at the request of a number of people, did not press the Rules Committee under the understanding that I would be given a fair hearing for the House Bill. We find ourselves in a situation now which by the accident of the Rules, motions coming late, I have postponed and been willing to postpone on the advice of the Leadership and others . . . ah . . . any kind of a Roll Call on those motions for the last four legislative days. Today . . . ah . . . we are . . . have the license Bills coming over from the Senate, which is fine; I will support them. Ah . . . We have a Senate usury Bill now, which is fine; I supported it; but I am a House Member, as you all are, I understand the complications and the difficulties of our Spring rules; but I would like to make a request, Mr. Speaker, that tomorrow at some time other than the last item on the Calendar we might have the order of motions so that it might even be conceivably possible to have an assignment of Bills to Committee and get it out before June 30th. I would appreciate the consideration of the Leadership very much in that regard."



Speaker Telcser: "Okay, Representative Duff, . . . ah . . . can we call your motions now, Sir?"

Duff: "Mr. Speaker, at this time I am confronted with the inevitable . . . inevitable problem after everybody's prepared to go home of having . . . on having an adequate Roll Call. What I ask is, might it be possible tomorrow for us to have the order of motions at some time earlier in the day?"

Speaker Telcser: "All right, but . . . ah . . . according to the Calendar . . . ah . . . your motions expire today, . . . June . . ."

Duff: "Well, Representative Walsh, told me that there would be a motion made to postpone and that's fine by me because I don't want to keep everybody around here when there are baseball games and so forth to go to, but I would like to make a request that we should . . . that we have some consideration of the order of motions at some time earlier in the day if we might."

Speaker Telcser: "All right, you don't want your Bills . . . motions called now, Representative Duff? Representative Duff."

Duff: "Mr. Speaker, I, apparently, didn't make myself clear. I'll try one more time. I recognize that at this point and time with the order of the House in preparation for adjournment that it is untimely, what I'm saying is that I have tried hard to be as cooperative as I can be in . . . in trying to move forth some major issues. I am asking, Mr. Speaker, and I will ask one more time since I do understand that Representative Walsh has . . . intends to make the motion to postpone . . . ah . . . motions on the Calendar and I understand it and I cooperate with that; but I'm asking, Mr. Speaker, only this, could we have some consideration tomorrow of the possibility of having the order of motions at a more . . . at a more timely moment during the day, and that's my only request, Mr. Speaker."

Speaker Telcser: "Well, Representative Duff, the Chair . . . the Chair being a good friend of yours . . . ah . . . wonders whether or not a motion to extend the life is going to prevail. So if you want a whack at it, let's . . . I want to call them for you now."

Duff: "Mr. Speaker, I am in accord and have discussed this with the Majority



Leader and have agreed, and I have no indications of . . . ah . . . of being opposed to that . . . that attempt to get this place closed down early. I would like to ask one more time since I understand that has . . . that has been agreed to that tomorrow we do have the opportunity to have those motions in a timely way. If you're asking me to make the motion, I would suggest to you that I cannot since I've already discussed it with the Majority Leader."

Speaker Telcser: "Okay, the Gentleman from Union, Representative Choate."

Choate: "I don't really know what's going on around here, Mr. Speaker. Everybody is standing and we have one Gentleman talking about something of which I don't know; but if . . . if I understand what he's requesting is the fact that we put a special order of business tomorrow, I object to it because I want the regular order of business of this House . . . ah . . . to proceed in the manner of which we've always proceeded."

Speaker Telcser: "Now, Representative Duff, do you want to have, in the light of the Minority Leader's . . . ah . . . observation, do you . . . do you wish to have your motion called now?"

Duff: "Mr. Speaker, I repeat the Majority Leader has already told me that he will make a motion, which I gather is agreed, for all motions to be postpone . . . tomorrow and I acquiesce in that."

Speaker Telcser: "What I'm trying to say, Representative Duff, that that may not be agreed. Representative Shea, for what purpose do you arise?"

Shea: "Well, I just want to point out, is if I understand that Calendar correctly, that the motion that the Representative is talking about expired today. If it's not extended those Bills are absolutely dead, is that correct?"

Duff: ". . . Bill, will you help me out? Huh?"

Speaker Telcser: "That's correct, Sir."

Shea: "Thank you."

Speaker Telcser: "All right, Representative Duff . . . ah . . . Repe-



sentative J. J. Wolf, for what purpose do you arise?"

Wolf, J.: "Well, Mr. Speaker, while Mr. Duff is deciding what to do, I'd like to announce that the . . . ah . . . Veteran Affairs, Personnel and Pensions' Committee will not meet today after the Session as scheduled, but will meet tomorrow afternoon at 2 p.m. or immediately after adjournment. I would also, Mr. Speaker, like to have unanimous consent of the House to waive Rule, I believe, 18B so that we could hear House Bill 2673, which has not been posted."

Speaker Telcser: "Are there objections to suspension of Rule 18 for the purpose of hearing House Bill . . ."

Wolf, J.: "2673."

Speaker Telcser: ". . . 2673? Hearing no objections, the attendance Roll Call will be used as the affirmative Roll Call. Representative Ron Hoffman, for what purpose do you arise?"

Hoffman, R.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, under the order of motions a written motion has been filed to suspend the provisions of Rule 67 to take Senate Bill 1409 from Counties and Townships and placed on the order of Second Reading, and I ask leave of the House at this time."

Speaker Telcser: "There's objections . . . ah . . . Representative Hoffman. Representative Hoffman, objections have been heard from Representative Pierce. Do you wish to put a motion, Sir?"

Hoffman, R.: "Yes, Representative, at this . . . ah . . . Mr. Speaker, the import of this is so great we are getting quite a bit of communication from the Senator who was originally involved on this, and many of the Park Districts are facing problems with the filing of their budget; and I at this time, I would ask for a Roll Call vote."

Speaker Telcser: "The Gentleman has moved to discharge the County and Township's Committee, is that the one? . . . ah . . . consideration of House Bill 1409. Representative Pierce, for what purpose do you arise?"

Unknown: "Senate Bill . . . Senate Bill."

Pierce: "Ah . . . How many votes will this take, 107, won't it?"



Speaker Telcser: "89, we're discharging a Committee. Representative Ron Hoffman, for what purpose do you arise?"

Hoffman, R.: "Just to clarify . . . ah . . . Mr. Speaker, you indicated House Bill . . ."

Speaker Telcser: "Yes, Senate Bill . . ."

Hoffman, R.: ". . . Senate Bill."

Speaker Telcser: ". . . Senate Bill . . . Senate Bill, right, Senate Bill. All in favor of the Gentleman's motion signify by voting 'aye', the opposed by voting 'no'. This is Representative Ron Hoffman's motion to discharge the County and Township Committee from consideration of Senate Bill 1409 and have it placed on the order of Second Reading. The Gentleman from Cook, Representative Ron Hoffman."

Hoffman, R.: "Thank you, Mr. Speaker, we attempted to move this parliamentary provision last week and I did not pursue the issue because we had had enough to be . . . and the Members were tired and I did not want to pursue that at that time. I felt it was imposing, but I feel this is a very important matter now. The Park Districts involved . . . that are trying to compile their budget are running into an extreme problem and jeopardizing their tax levy for the next year. Now, this is clarifying language, it was bypassed in the Senate Committee and was moved out of the Senate with no dissenting votes, and because this has immediate nature to it, I would ask that we have sufficient green lights put on that board so we can put this on the order of Second Reading and insure this is passed through the House in the next week or so."

Speaker Telcser: "The Gentleman from Lake, Representative Pierce."

Pierce: "Ah . . . Mr. Speaker, this Bill isn't tied up in the Rules Committee, it's in a substantive Committee, Counties and Townships'. It can be heard there. We have plenty of time . . . ah . . . to pass it in this Session. It didn't get a Committee hearing in the Senate, it ought to at least get one Committee hearing before it gets through the General Assembly. I haven't received one letter from any Park District. I was warned last week when I objected to this Bill that I would hear from all my Park Districts



and I'd be in trouble if I objected. Well, I objected and I haven't heard from one Park District in my district; and maybe it's a good Bill and maybe I'll vote for it, but let it be heard in Committee. There's nothing so important about this Bill, when it can't be heard in at least one Committee in the General Assembly. It's a Senate Bill, it's not up against any deadlines, we've got plenty of time to pass it. Let's hear it in Committee."

Speaker Telcser: "Have all voted who wished? Have all voted who wished?"

Hoffman, R.: "Just to explain my vote on this, Mr. Speaker, I think those and I notice some of the Representatives that are intimately involved with the Park District are no longer on the floor. Representative Palmer had indicated great concern because he's experiencing this problem now, and he felt very strongly that last week that I should've pursued it, but I felt in all due courtesy to the House that I would not, the hour was late and some of the Members were trying to get out of here and be on their way home. I feel it has great import, there is a serious need to have this thing moved out rather quickly, and I would again ask leave of the House and sufficient green lights to pass this."

Speaker Telcser: "The Gentleman from Cook, Representative MaGah."

MaGah: "Ah . . . Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I definitely concur and urge the adoption of this motion by my colleague, Representative Hoffman. They passed some legislation here last year setting up a new budget procedure with hearings and . . . ah . . . one thing and another, it got through The Park Association didn't . . . ah . . . catch up with it, apparently, in time, but it's been . . . been impossible to comply with it this year; and we're now in the . . . the second month of the . . . of the first quarter of the fiscal year and . . . ah . . . the appropriation ordinance has to be passed . . . ah . . . no . . . no later than next month, and it's impossible to comply with the provisions of this law that was adopted last time. A particular Bill was introduced by Senator Fawell and this is



Senator Fawell's effort to straighten out the situation, and . . . ah . . . I certainly would appreciate . . . ah . . . sufficient votes to move this matter to Second Reading. It's very important to the orderly administration of the budgeting of Park Districts, and . . . ah . . . I've heard from several districts . . . Park Districts in my area, both in DuPage County and Cook, and . . . ah . . . I am personally acquainted with the problem, and appreciate . . . ah . . . an affirmative vote."

Speaker Telcser: "Have all voted who wished? Take the Record. On this question there are 74 'ayes', 7 'nays', 2 answering 'present'; and Representative Hoffman, for what purpose do you arise, Sir?"

Hoffman, R.: "At this point, I would ask a poll of the absentees."

Speaker Telcser: "The Gentleman has asked for a poll of the absentees."

Clerk Selcke: "Alsup. Barnes. Barry. Beatty. Berman. Bluthardt. Borchers. Boyle. Bradley. Brandt. Brummet. Caldwell. Calvo. Carter. Catania. Chapman. Choate. Craig. Cunningham. D'Arco. Davis. DiPrima. Douglas. Ewell. Farley. Fennessey. Flinn. Garmisa. Getty. Gibbs. Giorgi. Greiman. Hanahan. Hill. Hirschfeld. Gene Hoffman. Jimmy Holloway. D. Houlihan. J. Houlihan. Huskey. Jacobs. Jaffe. Jenison. Emi. Jones. Dave Jones."

Speaker Telcser: "All right, now, record Representative Craig, Bruce Craig, and Dave Jones as voting 'aye'. Craig and Dave Jones 'aye', here come a few more. Mr. Clerk, Neff 'aye'. Give the Clerk a chance to catch up. Neff 'aye'. McAuliffe 'aye'."

Clerk Selcke; "McAuliffe is already voted 'aye'."

Speaker Telcser: "McAuliffe is already 'aye'."

Clerk Selcke: "Let's go in order, Arthur."

Speaker Telcser: "Now, let the Clerk . . . let the Clerk . . . ah . . ."

Clerk Selcke: "Neff. Keller. Kelly. Kennedy. Klosak. Krause. Laurino. Leon. Londrigan. Lundy. Mann. Martin. Matijevich. McAvoy. McClain. McCormick. McGrew. McLendon. McPartlin. Merlo. Mugalian. Murphy. Nardulli. Neff."

Speaker Telcser: "Record Representative Neff as voting 'aye'."

Clerk Selcke: "North. Palmer. Pappas. Patrick. Rayson. Redmond."



Rigney. Rose. Sangmeister. Schisler. Sharp. Shea."

Speaker Telcser: "Mr. . . . Representative Shea, for what purpose do you arise?"

Shea: "'Aye'."

Clerk Selcke: "Timothy Simms. Ike Sims. Soderstrom. Stedelin.

Taylor. Thompson. VonBoeckman. Wall. Walters. Washburn. Washington. Williams. Yourell."

Speaker Telcser: "Now, record Representative Jenison 'aye'. Jenison 'aye'."

Clerk Selcke: "Hill 'aye'."

Speaker Telcser: "Hill 'aye'. Brinkmeier 'aye'. Bradley 'aye'. I'll get you. Taylor 'aye'. Nardulli 'aye'. Matijevich 'aye'. Wall 'aye'."

Clerk Selcke: "Who?"

Speaker Telcser: "Wall, and now DiPrima."

Clerk Selcke: "DiPrima 'aye'? Not enough."

Speaker Telcser: "Record . . . Representative Leon wishes to be recorded as voting 'aye', Leon. Leon."

Clerk Selcke: "88, one more."

Speaker Telcser: "Record Representative Sangmeister 'aye'. I will, yeah. Beatty 'aye'."

Clerk Selcke: "That's enough."

Speaker Telcser: "How many do you have? On this question there are 90 'aves', 7 'nays', 2 answering 'present'; the Gentleman from . . . did you ask for a verification? Verification has been requested, and 90 'aves', 7 'nays', 2 answering 'present'; the Gentleman has asked for a verification of the affirmative Roll Call. The Members please be in their seats. The Clerk will read the affirmative Roll Call. Representative Fleck, for what purpose do you arise, Sir?"

Fleck: "Ah . . . If we're going to be verifying, there's a lot of people on this floor who don't belong here, and I think maybe we should get them off so we know what's going on."

Speaker Telcser: "All right, will . . . ah . . . will every Member please be in their seat and will those of you who are on the floor



who are not entitled to the floor . . . ah . . . please . . . ah . . . remove yourselves. Currently, 90 'ayes', 7 'nays', 2 answering 'present'. The Clerk will read the affirmative Roll Call."

Clerk Selcke: "Anderson. Arnell. Beatty. Beaupre. Bradley. Brinkmeier. Campbell. Capparelli. Berman 'aye', Arthur; Berman 'aye'."

Speaker Telcser: "Record Representative Berman as voting 'aye' and Laurino 'aye'. All right, I'll get them. Let the Clerk . . . Berman 'aye', Laurino 'aye', Huskey 'aye', McAvoy 'aye', McAvoy 'aye'."

Clerk Selcke: "That now makes it 95, Arthur; that now makes it 95."

Speaker Telcser: "There are now 95. Barnes 'aye', 96. Gene, Barnes 'aye' . . . Barnes is 95."

Clerk Selcke: "Yeah. Bradley. Brinkmeier. Campbell. Capparelli."

Speaker Telcser: "Record Representative Krause as voting 'aye'."

Clerk Selcke: "Capuzi. Clabaugh. Collins."

Speaker Telcser: "All right, Mr. Clerk, record Representative Farley as voting 'aye'. McPartlin 'aye'. Davis 'aye'."

Clerk Selcke: "Wait a minute."

Speaker Telcser: "Farley, McPartlin and Davis 'aye'."

Clerk Selcke: "Oh man, where did I quit? Collins. Craig. Davis."

Speaker Telcser: "All right, now, will the Members please be in their seats. Let the Clerk finish the affirmative Roll Call, before you jump up and change votes or get on. Proceed with the affirmative Roll Call, Mr. Clerk."

Clerk Selcke: "Day. Deavers. Dee. Deuster. DiPrima. Duff. Ralph Dunn. R. L. Dunne. Dyer. Ebbesen. Epton. Farley. Fleck. Friedland. Geo-Karis. Giglio. Griesheimer. Grotberg. Harpstrite. Hill. Ron Hoffman. R. Holloway. Hudson. Hunsicker. Huskey. Hyde. Jenison. Dave Jones. Juckett. Kempiners. Kent. Kosinski. Krause. Kriegsman. Kucharski. LaFluer. Lauer. Laurino. Leinenweber. Leon. Macdonald. Mahar. Maragos. Matijevich. McAuliffe. McAvoy. McCourt. McGah. McMaster. McPartlin. Kenny Miller. Tom Miller. Molloy. Nardulli. Neff.



Peters. Philip. Polk. Porter. Randolph. Ryan. Sangmeister.
Schlickman. Schoeberlein. Scraeder. Sevcik. Shea. Shurtz.
Skinner. Springer. Stiehl. Stone. Taylor. Telcser. Terzich.
Tipsword. Totten. Tuerk. Waddell. Wall. R. Walsh. W.
Walsh. J. J. Wolf; and Mr. Speaker."

Speaker Telcser: "All right, now, Mr. Clerk, there are a few
Members that want to get on. Let me give you their names."

Clerk Selcke: "All right."

Speaker Telcser: "Okay. Garmisa 'aye'. Change Representative
Kozubowski from 'no' to 'aye'. Record Representative Brandt 'aye'.
Change Representative Lemke to 'aye'. Calvo 'aye'. Fennessey
'aye'. VonBoeckman 'aye'. Thompson 'aye'. Toby Barry 'aye'.

Clerk Selcke: "Barry . . . Barry's already on."

Speaker Telcser: "Barry was already on. McGrew 'aye'. All right,
questions of the affirmative Roll Call, Representative Pierce."

Clerk Selcke: "Now, wait a minute, I want to tell him what the count
is."

Speaker Telcser: "Let me tell you what the count is now first."

Clerk Selcke: "At the present time, there are 108 'ayes', 5 'nays'."

Speaker Telcser: "There are currently 108 'ayes'. Representative
Pierce."

Pierce: "Matijevich?"

Speaker Telcser: "Is Representative Matijevich on the floor? Matijevich?
How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off the Roll Call."

Pierce: "Capuzi?"

Speaker Telcser: "Representative Capuzi on the floor? Take him off
the Roll Call."

Pierce: "Deavers?"

Speaker Telcser: "Is Representative Deavers on the floor? How is
Representative Deavers recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'aye'."

Speaker Telcser: "Take him off the Roll Call."

Pierce: "Ralph Dunn?"



Speaker Telcser: "Representative Dunn is in his seat."

Pierce: "Ah . . . Robert Dunne?"

Speaker Telcser: "Robert Dunne, Representative Robert Dunne on the floor? How is the Gentleman recorded?"

Clerk Selcke: "'Aye'."

Speaker Telcser: "Take him off the Roll Call. Representative Cunningham wish to be recorded? Record Roscoe Cunningham as 'aye'. Further questions, Representative Pierce?"

Pierce: "Lechowicz?"

Speaker Telcser: "Is Representative Lechowicz on the floor? Lechowicz? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as not . . . as voting 'no'."

Speaker Telcser: "No further questions?"

Pierce: "Are we ready to go?"

Speaker Telcser: "Yeah."

Pierce: "Okay, McMaster?"

Speaker Telcser: "Representative McMaster on the floor? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Telcser: "Take him off the Roll Call. Representative Ebbesen, do you seek recognition, Sir?"

Ebbesen: "Mr. Speaker, how am I recorded?"

Speaker Telcser: "How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Telcser: "Any further questions, Representative Pierce?"

Pierce: "Ah . . . McAuliffe, McAuliffe?"

Speaker Telcser: "Is Representative McAuliffe on the floor? McAuliffe? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recorded as voting 'yes'."

Speaker Telcser: "Take him off the Roll Call."

Pierce: "Laurino?"

Speaker Telcser: "Representative Laurino is right here in the aisle."

Pierce: "Schlickman?"

Speaker Telcser: "Representative Schlickman is in his seat."

Pierce: "Sevcik?"



Speaker Telcser: "Representative Sevcik is in his seat."

Pierce: "Timothy Simms."

Speaker Telcser: "Is Representative Timothy Simms on the floor?
Representative Simms? How is the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recored as being absent."

Speaker Telcser: "Are there further questions of the affirmative
Roll Call?"

Pierce: "Ah . . . Representative . . . ah . . . Greiman?"

Speaker Telcser: "Representative Greiman on the floor? There he is in
the back. No further questions, what do you have . . ."

Pierce: "Representative Griesheimer?"

Speaker Telcser: "Griesheimer? Representative Griesheimer? How is
the Gentleman recorded?"

Clerk Selcke: "The Gentleman is recored as 'yes'."

Speaker Telcser: "Take him off the Roll Call. That's it? What do
you have, Mr. Clerk?"

Clerk Selcke: "102 'ayes' . . ."

Speaker Telcser: "On this question there are 102 'ayes' . . ."

Clerk Selcke: ". . . 5 'nays' . . ."

Speaker Telcser: ". . . 5 'nays'; the Gentleman's motion to take Senate
Bill 1409 from the Committee on County and Townships prevails.
It's on the order of Second Reading. The Gentleman from Cook,
Representative William Walsh."

Walsh, W.: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the
House, I move that all Bills and Resolutions that would expire
today under the rules . . . ah . . . be advanced to tomorrow . . .
ah . . . so that they will expire tomorrow."

Speaker Telcser: "Is there any discussion? The Gentleman from . . .
ah . . . Kane, Representative Hill. Hill, turn on Hill."

Hill: "The Majority Leader said Resolutions and Bills, does that also
include motions?"

Speaker Telcser: "Yes . . . also motions. Okay. Are there any
objections . . . Representative . . . hearing no objections . . .
tape is blank . . ."

Tipspword: "The provisions of Rule 18B might be suspended so that House



Bill 2220 might be heard this weekend. The . . . ah . . . House Committee on Agriculture and Natural Resources, there was an error in the Journal that prevented this Bill being . . . ah . . . sent forward to the Committee Chairman. This has been cleared with the Committee Chairman on both sides . . . the Leadership on both sides of the aisle."

Speaker Telcser: "All right, are there any objections? The Gentleman from Cook, Representative William Walsh."

Walsh, W.: "Ah . . . I don't remember talking to you . . . ah . . . about this, Rollie, what . . . ah . . ."

Tipsword: "You did early this morning. This is the Bill on the trade secrets . . ."

Walsh, W.: "You sure you weren't talking to this fellow?"

Tipsword: "No, it was you, I . . . in fact, you talked to me about the terms of the Bill this morning."

Walsh, W.: "Oh, yes, okay, yes, I remember."

Speaker Tipsword: "Hearing no objections . . . ah . . . attendance Roll Call will be used as the affirmative Roll Call with respect to suspending the provisions of Rule 18. Representative Harpstrite, for what purpose do you arise?"

Harpstrite: "Mr. Speaker, for an announcement, the Agricultural and Natural Resources will meet at 10 a.m. in Room M5. Now, this is a change, so the Committee Members it will be held in Room M5, 10 a.m."

Speaker Telcser: "Representative Dyer, for what purpose do you arise?"

Dyer: "Just for an announcement to remind the Members of the Higher Education Committee that we will meet promptly at 9 a.m. in Room M4. There's just a few Bills. If you'll come promptly, then you can get on to your other Committees. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative William Walsh."

Walsh, W.: "Mr. Speaker, I move that the House adjourn until the hour of 1 p.m. tomorrow."

Speaker Telcser: "The Gentleman has moved the House to stand adjourned until 1 p.m. tomorrow. All those in favor 'aye', oppose 'no'; the



House stands adjourned. Okay . . . ah . . . the 1st Special Session will now come to order. The Gentleman from Cook, Representative William Walsh, asked that we use the attendance Roll Call of the Regular Session for the attendance Roll Call of the 1st Session. Hearing no objections, that will be the attendance Roll Call. The Gentleman from Cook, Representative William Walsh, now moves the 1st Special Session to stand adjourned until the hour of . . . ah . . . until after adjournment of the Regular Session on . . . ah . . . Thursday, June 5th. All in favor signify by saying 'aye', the opposed 'no'; the 1st Special Session stands adjourned."



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1		Speaker Blair	House to order
		James McCarmaugh	Invocation
		Speaker Blair	Roll Call for Attendance
		Clerk Selcke	Messages from the Senate
		Speaker Blair	
2		Clerk Selcke	Committee Reports
		Speaker Blair	Senate Bills, First Reading
		Clerk Selcke	Reads Senate Bills, First Reading
		Speaker Blair	Agreed Resolutions
		Clerk Selcke	Reads Agreed Resolution
		Walsh, W.	Explains Agreed Resolution 71
3		Speaker Blair	Agreed Resolution 71 adopted, Senate Bills, First Reading
		Clerk Selcke	Senate Bills, First Reading
		Speaker Blair	
		Sevcik	Excused absences
4		Speaker Blair	Quorum present; House Bills, Second Reading; House Bill 2367
		Clerk Selcke	Reads House Bill 2367
		Speaker Blair	
		Tipword	Explains Committee Amendment 1
		Speaker Blair	Committee Amendment 1 adopted
		Clerk Selcke	Reads Committee Amendment 2
		Speaker Blair	
		Tipword	Explains Committee Amendment 2
		Speaker Blair	
		Tipword	Come back to it



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		Speaker Blair	Agrees; House Bills, Third Reading
		Clerk Selcke	House Bill 927, Third Reading
		Speaker Blair	
		Miller, T.	Explains House Bill 927
		Speaker Blair	
6		Miller, T.	Continues explanation
		Speaker Blair	Discussion?
		Geo-Karis	Supports
		Speaker Blair	
7		Shea	Yield?
		Speaker Blair	
		Shea	Question
		Miller, T.	Response
		Shea	Supports
		Speaker Blair	House Bill 927 adopted; House Bill 2049
		Clerk Selcke	Reads House Bill 2049
8, 9		Day	Explains House Bill 2049
		Speaker Blair	
		Pierce	Yield?
		Speaker Blair	
		Pierce)	Question
10		Day)	Response
		Speaker Blair	
		Griesheimer	Supports
		Speaker Blair	
13		Maragos	Supports



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		Speaker Blair	
		Holloway	Yield?
		Speaker Blair	
14		Holloway)	Question
		Day)	Response
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15		Choate	Introduction
		Speaker Blair	
		Walsh, W.	Introduction
		Speaker Blair	
		Alsup	
		Speaker Blair	
		Ebbesen	Moves previous question
		Speaker Blair	Question is moved
16		Day	To close
		Speaker Blair	
		Choate	Votes 'present'
		Speaker Blair	
17		McMaster	Supports
		Speaker Blair	
		Shea	'Present'
		Speaker Blair	
18		Cunningham	Votes 'no'
		Speaker Blair	
19		Juckett	
		Speaker Blair	
		Miller, K.	Votes 'aye'



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		Speaker Blair	
20		Maragos	Constitutional
		Speaker Blair	
		Neff	Supports
		Speaker Blair	
		Leinenweber	
		Speaker Blair	House Bill 2049 adopted, House Bill 2108
		Clerk Selcke	Reads House Bill 2108
		Speaker Blair	
21		Miller, T.	Explains House Bill 2108
		Speaker Blair	
		Kosinski	Yield?
		Speaker Blair	
22		Kosinski)	Questions
)	
		Miller, T.)	Response
		Speaker Blair	
23		Wolf)	Yield?
)	
24		Miller, T.)	Response
		Wolf	Speaker to the Bill
		Speaker Blair	
25		Tuerk	Supports
		Speaker Blair	
		Polk	Yield?
		Speaker Blair	
		Polk)	Question
)	
		Miller, T.)	Response



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		Miller, T	To close
		Speaker Blair	House Bill 2108 adopted; House Bill 2125
		Simms	Explains House Bill 2125
		Speaker Blair	
		Clerk Selcke	Reads House Bill 2125
		Speaker Blair	
		Clerk Selcke	Reads House Bill 2125
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		Leinenweber	Yield?
		Simms	
		Leinenweber	Votes 'aye'
27		Speaker Blair	House Bill 2125 adopted; House Bill 2132
		Clerk Selcke	Reads House Bill 2132
		Speaker Blair	
		Deuster	Waiting on Amendment
		Speaker Blair	Out of the record, temporarily
28		Speaker Blair	House Bill 2168
		Clerk Selcke	Reads House Bill 2168
		Speaker Blair	
		Simms	Explains House Bill 2168
		Speaker Miller	
		Maragos	Explains 'present' vote
29		Speaker Miller	House Bill 2168 adopted; House Bill 2201
		Clerk Selcke	Reads House Bill 2201



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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		Barnes	Supports
		Speaker Miller	
		Palmer	Yield?
		Speaker Miller	
		Palmer)	Question
)	
31		Dyer)	Response
		Speaker Miller	
32		Walters	
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		Davis	Supports
		Speaker Miller	
33		Walsh, W.	Opposes
		Speaker Blair	
		Kennedy	Yield?
		Speaker Blair	
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34		Dyer	
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		Dyer	
35		Geo-Karis	Speaks on the Bill
		Speaker Blair	
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		Holloway	'Aye'
		Speaker Blair	
36		McLendon	Moves previous question
		Speaker Blair	Agrees
		Dyer	To close
		Speaker Blair	House Bill 2201 adopted; House Bill 2234
		Clerk Selcke	House Bill 2234
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37		Stiehl	Explains House Bill 2234
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		Speaker Blair	House Bill 2234 passed; House Bill 2242
		Clerk Selcke	Reads House Bill 2242
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		Clerk Selcke	Reads House Bill 2243
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39, 40, 41		Juckett))	Question
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42		Speaker Blair	
43		Polk))	Yield?
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		Speaker Blair	House Bills 2242 and 2243 passed
		Pierce	Excused absence
		Speaker Blair	Journal will so show
		Pierce	Take Katz's Bill out of record
		Speaker Blair	House Bill 2340
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		Clerk Selcke	Reads House Bill 2343
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46		Speaker Blair	
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)	
		Hoffman, R.)	Response
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)	
		Hoffman, R.)	Response
		Pierce	Speaks to the Bill
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)	
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50		Palmer))	Question
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51		Palmer	Speaks to the Bill
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52, 53		Maragos))	Yield?
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		Skinner	Question
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54		Skinner	Speaks to the Bill
		Speaker Blair	
		Sangmeister	Moves previous question
		Speaker Blair	Please hold it
55		Jaffe))	Question
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		Hoffman, R.	To close
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)	
57		Hoffman, R.)	Response
		Leinenweber	Speaks to the Bill



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58		Hoffman, R.	Closes again
		Speaker Blair	
		Hoffman, R.	Urges 'aye' votes
		Speaker Blair	
		Day	Explains vote
		Speaker Blair	
59		Hoffman, R.	Postponed: Consideration
		Speaker Blair	Agrees; Introduction
		Catherine Fredrich	
60		Josephine Birdsey	
		Speaker Blair	House Bill 2355
		Clerk O'Brien	House Bill 2355
		Hill	Return to Second
		Speaker Blair	Agrees
		Clerk O'Brien	Reads Amendment 11
		Speaker Blair	
61		Ryan	Moves adoption
		Speaker Blair	Amendment 11 adopted; Third Reading
		Hill	Explains House Bill 2355
		Speaker Blair	House Bill 2355 adopted; House Bill 2362
		Clerk O'Brien	Reads House Bill 2362
62		Martin	Explains House Bill 2362
		Speaker Blair	House Bill 2362 passed
		Martin	Thanks



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Blair	House Bill 2363
		Clerk O'Brien	Reads House Bill 2363
		DiPrima	Explains House Bill 2363
		Speaker Blair	House Bill 2363 passed; House Bill 2419
		Clerk O'Brien	Reads House Bill 2419
		Krause	Explains House Bill 2419
		Speaker Blair	Discussion?; House Bill 2419 passed; House Bill 2458
63		Clerk O'Brien	Reads House Bill 2458
		DiPrima	Explains House Bill 2458
		Speaker Blair	House Bill 2458 passed; House Bill 2511
		Clerk O'Brien	Reads House Bill 2511
64		Bradley	Explains House Bill 2511
		Speaker Blair	
		Bradley	To close
		Speaker Blair	
		Tuerk	Yield?
		Bradley	
		Tuerk	
		Speaker Blair	House Bill 2511 passed; House Bill 2512
		Clerk O'Brien	Reads House Bill 2512
65		Bradley	Explains House Bill 2512
		Speaker Blair	
66		Skinner	Opposes
		Speaker Blair	
67		Lundy	Opposes



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Blair	
		Beaupre	Favors
		Speaker Blair	
68		Clabaugh	Favors
		Speaker Blair	
69		Walsh, W.	Bill is discriminatory
		Speaker Blair	
70		Bradley	To close
		Speaker Blair	
71		Totten	Explains vote
		Speaker Blair	
		Berman	Explains vote
		Speaker Blair	
		Skinner	Explains vote
72		Speaker Blair	House Bill 2512 passed
		Walsh, W.	Introduction
		Speaker Blair	House Bill 2529
		Clerk Selcke	Reads House Bill 2529
73, 74		Miller, T.	Explains House Bill 2529
		Speaker Blair	Discussion
		Shea	Yield?
		Speaker Blair	
75		Shea)	Question
)	
		Miller, T.)	Response
76		Shea	Speaks against the Bill
		Speaker Blair	
		Miller, T.	To close



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Blair	
		Miller, T.	
77		Speaker Blair	House Bill 2529 lost; House Bill 2565
		Clerk Selcke	Reads House Bill 2565
		Speaker Telcser	
		Krause	Explains House Bill 2565
		Speaker Telcser	
78		Schlickman)	
)	
		Krause)	
		Speaker Telcser	
		Tuerk	Yield?
		Speaker Telcser	
		Tuerk)	
)	
		Krause)	
		Speaker Telcser	
		Krause	To close
79		Speaker Telcser	House Bill 2526 passed; House Bill 2624
		Clerk Selcke	Reads House Bill 2624
		Speaker Telcser	
		Bradley	Explains House Bill 2624
		Speaker Telcser	House Bill 2624 passed; House Bill 2653
80		Clerk Selcke	Reads House Bill 2653
		Speaker Telcser	
		Schlickman	Back to Second?
		Speaker Telcser	



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Speaker	
Speaker	2:05
Member	
Member	2:05
Speaker	
Member	Bill is discriminatory
Speaker	
Member	close
Speaker	
Member	explains vote
Member	
Member	explains vote
Member	
Member	explains vote
Member	know Bill 2529 passed
Member	introduction
Member	know Bill 2529
Member	know House Bill 2529
Member	explains House Bill 2529
Member	discussion
Member	reply
Member	
Member	action
Member	response
Member	opposes against the Bill
Member	
Member	to floor

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Blair	
		Miller, T.	
77		Speaker Blair	House Bill 2529 lost; House Bill 2565
		Clerk Selcke	Reads House Bill 2565
		Speaker Telcser	
		Krause	Explains House Bill 2565
		Speaker Telcser	
78		Schlickman)	
		Krause)	
		Speaker Telcser	
		Tuerk	Yield?
		Speaker Telcser	
		Tuerk)	
		Krause)	
		Speaker Telcser	
		Krause	To close
79		Speaker Telcser	House Bill 2526 passed; House Bill 2624
		Clerk Selcke	Reads House Bill 2624
		Speaker Telcser	
		Bradley	Explains House Bill 2624
		Speaker Telcser	House Bill 2624 passed; House Bill 2653
		Clerk Selcke	Reads House Bill 2653
80		Speaker Telcser	
		Schlickman	Back to Second?
		Speaker Telcser	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Schneider	Question
		Schlickman	
		Speaker Telcser	Leave to take it back to Second
		Clerk Selcke	Reads Amendment 1
		Speaker Telcser	
81		Schlickman	
		Speaker Telcser	
		Schlickman	Explains Amendment 1 to House Bill 2653
		Speaker Telcser	
		Shea	Fiscal note
		Schlickman	Responds to fiscal note
82		Shea	
		Speaker Telcser	
83		Schlickman	
		Speaker Telcser	
		Shea	Entitled to fiscal note
		Speaker Telcser	
		Shea	Check the rules
		Speaker Telcser	
84		Schlickman	
		Speaker Telcser	
		Shea	
		Speaker Telcser	At ease for a minute
		Schlickman	Out of the record momentarily?
		Speaker Telcser	Out of the record for now; House Bill 2709



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
85		Clerk Selcke	Reads House Bill 2709
		Speaker Telcser	
86		Davis	Explains House Bill 2709
		Speaker Telcser	
		Hudson)	Discussion
		Davis)	
		Speaker Telcser	
87		Shea	Introduction
		Davis	
		Hudson	
		Speaker Telcser	
		Davis	
		Speaker Telcser	House Bill 2709 passed; House Bill 2754
		Clerk Selcke	Reads House Bill 2754
88		Speaker Telcser	
		Berman	Leave to return to Second
		Speaker Telcser	Leave granted
		Clerk Selcke	Amendment 2
		Speaker Telcser	
		Berman	Explains Amendment 2
		Speaker Telcser	Amendment 2 adopted; Third Reading
		Berman	Explains House Bill 2754
		Speaker Telcser	
89		Duff	
		Speaker Telcser	House Bill 2754 passed; House Bill 2778



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Clerk Selcke	Reads House Bill 2778
		Speaker Telcser	
90		Beatty	Explains House Bill 2778
		Speaker Telcser	
		Gibbs	Yield?
		Speaker Telcser	
		Gibbs)	Question
)	
		Beatty)	Response
		Speaker Telcser	
		Palmer	Yield?
		Speaker Telcser	
91		Palmer)	Question
)	
		Beatty)	Response
		Speaker Telcser	
		Griesheimer	Yield?
		Speaker Telcser	
		Griesheimer	Question
		Beatty	
		Speaker Telcser	
		Beatty	To close
		Speaker Telcser	
		Bluthardt	Explains vote
		Speaker Telcser	House Bill 2778 passed; House Bill 2790
		Clerk Selcke	Reads House Bill 2790
		Speaker Telcser	
		Jones, D.	Add Sponsors



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
93, 94		Speaker Telcser	Already done
		Jones, D.	Explains House Bill 2790
		Speaker Telcser	
		Leinenweber	Yield?
		Speaker Telcser	
		Leinenweber	Question
		Jones, D.	
		Leinenweber	Supports
		Speaker Telcser	
		Berman	Yield?
95		Speaker Telcser	
		Berman)	Discussion
)	
		Jones, D.)	
		Choate)	
)	
		Jones, D.)	
		Speaker Telcser	
		Geo-Karis	Yield?
		Speaker Telcser	
	Geo-Karis)	Discussion	
)		
	Jones, D.)		
96		Geo-Karis	Speaks in favor of Bill
		Speaker Telcser	
		Brummet	Yield?
		Speaker Telcser	
		Brummet	Question
		Jones, D.	
	Speaker Telcser		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
97		Juckett	Yield?
		Speaker Telcser	
98		Juckett)	Question
)	
		Jones, D.)	Response
		Speaker Telcser	
		Jones, D.	Yields to Lundy
		Speaker Telcser	
99		Lundy)	Discussion
)	
100, 101		Juckett)	
)	
		Jones)	
		Speaker Telcser	
		Barry	
102		Jones, J.)	Discussion
)	
		Barry)	
		Speaker Telcser	
		Polk	Yield?
		Speaker Telcser	
		Polk	
		Speaker Telcser	
		Jones, D.	Out of the record until tomorrow
		Speaker Telcser	House Bill 2790 out of record; House Bill 2798
		Clerk O'Brien	Reads House Bill 2798
		Speaker Telcser	
		Shea	Return to Second
		Speaker Telcser	Leave is granted



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Clerk O'Brien	Reads Amendment 1
		Speaker Telcser	
103		Walters	Explains Amendment 1
		Speaker Telcser	
		Schneider	Yield?
		Speaker Telcser	
104		Schneider)	Discussion
)	
		Walters)	
		Speaker Telcser	
		Shea)	Question
)	
		Walthers)	Discussion
		Speaker Telcser	Amendment 1 adopted; Third Reading
		Shea	Leave to hear 2798 and 2799 together
		Speaker Telcser	Leave is granted
		Clerk O'Brien	Reads House Bill 2799
		Speaker Telcser	
105		Shea	Leave to go back to Second
		Speaker Telcser	Leave is granted
		Clerk O'Brien	Reads Amendment 1
		Speaker Telcser	
		McCourt	Explains Amendment 1
		Speaker Telcser	Amendment 1 ia adopted; Third Reading
		Shea	Explains House Bills 2798 and 2799
		Speaker Telcser	
		Duff	Yield?



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Telcser	
106, 107, 108, 109		Duff)) Shea)	Discussion
		Speaker Telcser	
110		Berman	Answering for Shea
		Speaker Telcser	
111		Duff	Speaks to the Bills
		Speaker Telcser	
		Shea	
112		Duff	
		Speaker Telcser	
		Mann	Asks Shea to hold Bills
		Speaker Telcser	
		Kempiners	Yield?
		Speaker Telcser	
113		Kempiners	
		Shea	
		Speaker Telcser	
114		Lundy	
		Speaker Telcser	
		Mann	Never got a response
		Speaker Telcser	
		Mann	
115		Shea	Won't hold the Bill
		Mann	Votes 'no'
		Speaker Telcser	House Bills 2798 and 2799 is passed; House Bill 2132



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116		Clerk O'Brien	Reads House Bill 2132
		Speaker Telcser	
		Deuster	Return to Second
		Speaker Telcser	Leave granted
		Clerk O'Brien	Reads Amendment 1
		Speaker Telcser	
		Deuster	Explains Amendment 1
		Speaker Telcser	Amendment 1 adopted, left on Second Reading; House Bill 2653
		Schlickman	Fiscal note on 2653, wants Amendment 1 adopted
		Speaker Telcser	
		Day	Yield?
		Schlickman	'Yes'
		Day)	Discussion
)	
118		Schlickman)	
		Day	Speaks on the Amendment
		Speaker Telcser	
		Gibbs	Yield?
		Speaker Telcser	
119, 120, 121		Gibbs)	Discussion
)	
		Schlickman)	
		Speaker Telcser	
		Fleck	Moves previous question
		Speaker Telcser	Question is moved
		Schlickman	To close on Amendment 1
		Speaker Telcser	Roll Call vote on House Bill 2653
122		Schlickman	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Telcser	Amendment fails
		Schlickman	Leave to table House Bill 2653
		Speaker Telcser	House Bill 2653 tabled; Senate Bill 678
		Clerk Selcke	Reads Senate Bill 678
		Speaker Telcser	
		Friedland	Senate Bill 1149 as companion
		Speaker Telcser	Leave granted
		Clerk Selcke	Reads Senate Bill 1149
		Speaker Telcser	
123		Friedland	Explains Bills
		Speaker Telcser	
		Jaffe	Yield?
		Speaker Telcser	
124, 125		Jaffe) Friedland)	question
		Speaker Telcser	
		Epton	Opposes
		Speaker Telcser	
126		Griesheimer	Supports
		Speaker Telcser	
127		Caldwell	Opposes
		Speaker Telcser	
		Maragos	Moves previous question
		Speaker Telcser	Question is moved
		Friedland	To close
		Speaker Telcser	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
128		Cunningham Speaker Telcser	Explains 'no' vote
129		Epton Speaker Telcser LaFleur Speaker Telcser	Explains vote Explains 'aye' vote
130		Hoffman, R. Speaker Telcser	Supports
131		Borchers Speaker Telcser Huskey Speaker Telcser Walsh, R. Speaker Telcser	Supports Supports
132		Epton Speaker Telcser	Point of personal privilege
133		Tuerk Speaker Telcser Friedland Speaker Telcser	Supports Poll the absentees
134		Mann Speaker Telcser Friedland Speaker Telcser Clerk Selcke Speaker Telcser	Explains 'no' vote Postponed Consideration Senate Bills 678 and 1149 on Postponed Consideration, also Senate Bill 1010



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Barnes	Comments on Postponed Consideration
135		Speaker Telcser	
		Schlickman	Bill is wasting time
		Speaker Telcser	Senate Bill 1010
		Randolph	Leave to return to Second on Senate Bill 1010
		Speaker Telcser	
		Hanahan	formally objects
		Speaker Telcser	
		Deavers	Personal privilege
		Speaker Telcser	
136		Deavers	Announcement
		Speaker Telcser	
		Maragos	Adjourn in time?
		Speaker Telcser	
		Maragos	
		Speaker Telcser	
		Mann	Leave for Com. hearing
		Speaker Telcser	Leave granted; restate?
		Mann	Repeats request
137		Speaker Telcser	Will be journalized; Senate Bill 1010, request for Second?
		Hanahan	
		Speaker Telcser	
		Randolph	Amends Usury Act
		Speaker Telcser	
		Hanahan	What's Senate Bill 1010 do?



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Telcser	
		Walsh, W.	Hanahan is out of order
		Speaker Telcser	Vote on it...
138		Hanahan	Point of order
		Speaker Telcser	
		Hanahan)	Discussion
		Speaker Telcser)	
139		Lauer)	Discussion
		Hanahan)	
		Speaker Telcser)	Discussion
		Hanahan)	
140		Lauer	Section 4(c)
		Speaker Telcser	Roll Call vote
		Hanahan	Explains 'no'-vote
		Speaker Telcser	Motion prevails; Second Reading
		Clerk Selcke	Amendment 2; makes correction
141		Speaker Telcser	
		Randolph	Amendment 2 be tabled
		Speaker Telcser	
		Matijevich	
		Speaker Telcser	
		Matijevich	Amendment 2 is tabled
		Clerk Selcke	Reads Amendment 3
		Speaker Telcser	
		Deavers	Explains Amendment 3
		Speaker Telcser	
142		Greiman	Opposes



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143, 144		Speaker Telcser Hanahan	
145		Speaker Telcser Choate	Supports
146		Speaker Telcser Dee	Supports
147		Speaker Telcser Capuzi Speaker Telcser Kennedy Speaker Telcser Capuzi Speaker Telcser Kennedy Speaker Telcser Capuzi Speaker Telcser Deavers Speaker Telcser Clerk Selcke	Moves previous question Withdraws motion Moves previous question Urges adoption Amendment 3 adopted Reads Amendment 4
148		Speaker Telcser Lauer Speaker Telcser Lauer Speaker Telcser	Moves to table Amendment 4 Amendment 4 is tabled; Third Reading Explains Senate Bill 1010
150		Speaker Telcser Matijeovich	Opposes



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151		Speaker telcser North Speaker Telcser	
152		Peters Speaker Telcser	
153		Lechowicz Speaker Telcser	Opposes
154		Griesheimer Speaker Telcser Philip Speaker Telcser Borchers Speaker Telcser	Supports Moves previous question Question has been moved
155		Griesheimer Speaker Telcser Philip Speaker Telcser Borchers Speaker Telcser	Supports Moves previous question Question has been moved
156		Lauer Speaker Telcser Cunningham Speaker Telcser	To close on Senate Bill 1010 Explains 'no' vote
157		Shea Speaker Telcser Hart Speaker Telcser	Votes 'present' Opposes



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
158		Macdonald	Supports
		Speaker Telcser	
159		Calvo	Opposes
		Speaker Telcser	
		Neff	
160		Speaker Telcser	
		Sharp	
		Speaker Telcser	Senate Bill 1010 is passed
		Maragos	
161		Speaker Telcser	Senate Bills, First Reading
		Clerk Selcke	Reads Senate Bills, First Reading
		Speaker Telcser	
		Washburn	Announcement, suspension of rules
		Speaker Telcser	
		Randolph	Announcement
162		Speaker Telcser	
		Maragos	Moves to suspend rules
		Speaker Telcser	
		Maragos	
		Speaker Telcser	
		Randolph	Leave to suspend rules
		Speaker Telcser	
		Deavers	Announcement
		Speaker Telcser	
163		Shea	
		Speaker Telcser	
		Shea	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Randolph	Discussion
		Speaker Telcser	
		Neff	Announcement
		Speaker Telcser	
		Bluthardt	Announcement
		Speaker Telcser	
164		Wall	Announcement
		Speaker Telcser	
		Campbell	Announcement
		Speaker Telcser	
		Barnes	Suspend rules
		Speaker Telcser	Leave granted
		Miller, T.	Motion to suspend rules
		Speaker Telcser	Motion prevails
165		Peters	Announcement
		Speaker Telcser	
		Duff	Point of personal privilege
		Speaker Telcser	State point
		Duff	
166		Speaker Telcser	Motion's called now?
167		Duff)	Tomorrow!
)	
		Speaker Telcser)	Discussion
		Choate	What's going on?
		Speaker Telcser)	Discussion
)	
		Duff)	
)	
		Speaker Telcser	
		Shea	Expires today



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Telcser	
		Wolf, J.	Announcement, rules suspended
168		Speaker Telcser	Granted
		Hoffman, R.	Motion to suspend rules, Senate Bill 1409
		Speaker Telcser	Objection heard
		Hoffman, R.	Roll Call vote
		Speaker Telcser	
		Pierce	How many votes?
169		Speaker Telcser	89 votes
		Hoffman, R.	
		Speaker Telcser	
		Hoffman, R.	
		Speaker Telcser	
170		Pierce	Wants a Committee hearing
		Hoffman, R.	
		Speaker Telcser	
171		MaGah	
		Speaker Telcser	
		Hoffman, R.	Senate Bill 1409, poll of the absentees
		Clerk Selcke	Polls absentees
		Speaker Telcser	Let's go in order
172		Clerk Selcke	Continues
		Speaker Telcser	Verification is requested
		Fleck	People that don't belong
173		Speaker Telcser	
		Clerk Selcke	Reads affirmative



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Telcser	Chaning votes; 108 'ayes' as of now
175, 176		Pierotta	Asks questions of affirmative
		Speaker Telcser	
		Ebbesen)	
)	
		Clemm Salcke)	
		Speaker Telcser	Motion prevails
		Walsh , W.	Moves Bill and Resolutions be advanced to tomorrow
		Speaker Telcser	
		Hill	
		Speaker Telcser	*Tape stopped
177		Tipword	Rule 18
		Speaker Telcser	
		Walsh , W.	
		Tipword	
		Speaker Telcser	
		Harperrite	Announcement
		Speaker Telcser	
		Dyer	Announcement
		Speaker Telcser	
178		Walsh , W.	Moves House adjourn
		Speaker Telcser	House stands adjourned; First Special Session; Walsh moves First Special stand adjourned; First Special Session is adjourned

